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THE CODE

OF

THE CITY OF ATLANTA,

CONTAINING

THE CHARTER OF 1874,

AND THE AMENDMENTS THERETO, THE ORDINANCES
ADOPTED BY THE MAYOR AND GENERAL COUN-
CIL, AND AN APPENDIX CONTAINING WA-
TER WORKS RULES AND RATES, CITY
GOVERNMENT, RULES OF ORDER,
SUPPLEMENT, ETC.

COMPILED BY

JOHN B. GOODWIN, CITY ATTORNEY,
AND
JAS. A. ANDERSON, ASSISTANT CITY ATTORNEY.

ADOPTED BY THE MAYOR AND GENERAL COUNCIL,
APRIL 6th, 1891, AND APPROVED APRIL 8th, 1891.

ATLANTA, GEORGIA:
CONSTITUTION JOB OFFICE, PRINTERS AND PUBLISHERS.
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CITY GOVERNMENT OF ATLANTA,

FOR 1891.

MAYOR—W. A. HEMPHILL.

MAYOR *Pro Tem.*—W. M. MIDDLEBROOKS.

ALDERMEN.

W. M. MIDDLEBROOKS,
JAS. G. WOODWARD,
F. P. RICE,

H. G. HUTCHISON,
A. M. REINHARDT,
A. J. SHROPSHIRE.

COUNCILMEN.

1ST WARD—JESSE P. KINYON,
JOSHUA TYE.

2ND WARD—A. J. MCBRIDE,
H. C. SAWTELL.

3RD WARD—WM. H. HULSEY,
ARNOLD BROYLES.

4TH WARD—J. C. HENDRIX,
C. E. MURPHY.

5TH WARD—JOS. LAMBERT,
J. D. TURNER.

6TH WARD—PORTER KING,
A. L. HOLBROOK.

CITY CLERK—A. P. WOODWARD.

CITY MARSHAL—JAS. W. LOYD.

CITY ATTORNEY—JOHN B. GOODWIN.

ASSISTANT CITY ATTORNEY—JAS. A. ANDERSON.

AUDITOR AND RECORDER—E. C. KONTZ.

TAX COLLECTOR—R. J. GRIFFIN.

TREASURER—JOS. T. ORME.

CITY ENGINEER—R. M. CLAYTON.

CITY COMPTROLLER—J. H. GOLDSMITH.

COMMISSIONER OF PUBLIC WORKS—M. MAHONEY.

CLERK COMMIS. OF PUBLIC WORKS—C. E. MOORE.

TAX ASSESSORS AND RECEIVERS—T. J. MALONE,
C. D. MEADOR, C. J. KEITH.

CHIEF FIRE DEPARTMENT—W. R. JOYNER.

CITY SEXTON—W. A. BONNELL.

MESSENGER—Z. B. MOON.

389951

POLICE COMMISSIONERS.

J. W. ENGLISH, Chairman, W. H. BROTHERTON,
WM. LAIRD, Secretary, WM. S. GRAMLING,
J. F. LESTER,
W. A. HEMPHILL, Mayor, *Ex-officio*.

Chief of Police—A. B. CONNOLLY.

Chief Detective and Assistant Chief of Police—E. F. COUCH.

Captains—J. M. WRIGHT, W. P. MANLEY, JOHN A. THOMPSON.

Station House Keepers—J. C. JOYNER, W. E. FOOTE.

WARD PHYSICIANS.

First Ward C. C. GREEN.
Second Ward E. VAN GOITSNOVEN.
Third Ward T. E. COLLIER.
Fourth Ward M. C. MARTIN.
Fifth Ward A. D. JOHNSON.
Sixth Ward N. O. HARRIS.

BOARD OF HEALTH.

W. S. ARMSTRONG, M. D., Ch'm., Jas. B. BAIRD, M. D., Sec.

J. F. ALEXANDER, M. D., J. C. AVARY, M. D.,

JOHN TYLER COOPER, A. J. SHROPSHIRE, Chairman

W. A. HEMPHILL, Mayor, *Ex-officio*. Committee, *Ex-officio*.

Chief Inspector—THOS. E. VEAL.

WATER COMMISSIONERS.

HOWELL C. ERWIN, Pres't. AARON HAAS,
GEORGE HILLYER, Z. H. SMITH,
W. W. BOYD, GEORGE WINSHIP.
W. G. RICHARDS, Superintendent.

ORGANIZATION

OF

BOARD OF EDUCATION FOR 1891.

PRESIDENT HOKE SMITH
 VICE-PRESIDENT D. A. BEATIE
 TREASURER ROBERT J. LOWRY
 SECRETARY AND SUPERINTENDENT W. F. SLATON

MEMBERS OF THE BOARD OF EDUCATION.

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2nd Ward—P. J. MORAN	Constitution Office.	Dec. 1891
W. R. HAMMOND.	23½ Whitehall	Dec. 1893
J. E. BROWN	133 Washington	Dec. 1893
3rd Ward—D. A. BEATIE	158 Capitol Avenue	Dec. 1891
GEO. S. CASSIN	52 S. Bell	Dec. 1891
L. P. GRANT	225 Hill	Dec. 1893
4th Ward—A. L. GREEN	22 N. Broad	Dec. 1891
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5th Ward—A. L. KONTZ	76 Marietta	Dec. 1895
W. M. BRAY	21½ Marietta	Dec. 1893
6th Ward—HOKE SMITH	32½ Broad	Dec. 1891
J. T. GLENN	Gate City Bank Bldg	Dec. 1893
City at Large—R. J. LOWRY	69 E. Alabama.	Dec. 1895
DR. A. W. CALHOUN, 66 Marietta		Dec. 1893
J. W. ENGLISH.	34 Cone	Dec. 1891
W. A. HEMPHILL, MAYOR, (EX-OFFICIO), ...	Constitution Office	

APPENDIX.

MAYOR AND GENERAL COUNCIL.

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ALDERMANIC BOARD RULES.

Page 445—Rule for Aldermanic Board.

BOARD OF POLICE COMMISSIONERS.

Page 446-447—Rules of Order for Government of.

WATER-WORKS.

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Page 450-452—Rules and Regulations.

Page 453-455—Rules Governing Plumbers.

Page 455-458—Rules Governing Consumers.

Page 458—Rates to Consumers.

Page 479 *et seq.*—City Governments of Atlanta.

THE CODE OF THE CITY OF ATLANTA.

PART I.—CHARTER OF 1874

AND ACTS AMENDATORY THEREOF.

CHAPTER I.

CORPORATE NAME, POWERS, AND LIMITS.

SEC. 1. Corporate Name—Powers | SEC. 2. Corporate Limits.

SECTION 1. *Be it enacted by the Senate and House of Representatives in General Assembly met, and it is hereby enacted by authority of the same,* That the inhabitants of the territory hereinafter designated are hereby continued corporate by the name and style of THE CITY OF ATLANTA, a body politic and corporate, with power to govern themselves by such ordinances, resolutions, and by-laws for municipal purposes as they may deem proper, not in conflict with this Charter, nor the Constitution and Laws of this State, nor of the United States, with power in and by said corporate name, to contract and be contracted with, sue and be sued, plead and be impleaded, in all the courts of this State, and do all other acts relating to its corporate capacity; and shall be able, in law, to purchase, hold, receive, enjoy, possess and retain for the use and benefit of the said City of Atlanta, in perpetuity or for any term of years, any estate

or estates, real or personal, lands, tenements, hereditaments of whatever kind or nature soever, within the limits or without the limits of said city, for corporate purposes; to hold all property and effects now belonging to said city, either in her name or in the name of others, to the use of said city, for the purposes and intents for which the same were granted, or dedicated; to use, manage and improve, sell and convey, rent or lease, and have the like powers over property hereafter acquired, and to have and use a common seal.

Corporate limits.

SEC. 2. That the corporate limits of said city shall extend one mile and a half in each and every direction from a stone post or column standing in the eastern corner of the Union Passenger Depot in said city—that is to say, the corporate limits shall form a perfect circle around said stone post or column, the radius of which shall be one mile and a half. And for the purposes of police, and of regulating the retail of ardent spirits, the following described tract or parcel of land is continued within the corporate limits, as now established by law, to-wit: all that portion of lot one hundred and twelve (112) in the fourteenth district of Fulton county, purchased by the Mayor and Council of said city from Chapman Powell; and all that portion of lot one hundred and fifty (150) of the seventeenth district of Fulton county, purchased by said Mayor and Council from E. R. Sasseen and Dorinda A. Sasseen, and three hundred yards in each and every direction around said purchases; and all that territory between the Western and Atlantic Railroad and the country road leading from Atlanta to Marietta, and a line three hundred yards west of said railroad, and running concentric to the said road; and all that land lying between said country road and a line running three hundred yards east of said country road and concentric to the same from the present corporation line of the said city of Atlanta to the new Fair Grounds.*

What included for police purposes, etc.

*See Secs. 272 to 277, for general extension, and for police purposes.

CHAPTER II.

MAYOR.

SECTION.

3. Mayor elected biennially--holds until successor is elected and qualified--vacancy--how filled--election--how managed. Mayor *pro tem.* acts, when.
4. Ineligible for succeeding term--chief executive duties--salary--may convene in extra session.
5. May hold Mayor's Court--may impose penalties.

SECTION.

6. Justice of the Peace for certain purposes.
7. No vote unless a tie--veto power--exercised by the Mayor *pro tem.* when--proviso--Georgia Western Railroad.
8. Oath of office.
9. May administer oath of office to General Council.

SECTION 3. There shall be elected at the next annual election, and biennially thereafter, a Mayor, who shall hold his office for two years. The Mayor, in all cases, shall hold his office until his successor is elected and qualified; and in the event that the office of Mayor shall become vacant by death, resignation, removal or otherwise, the Mayor *pro tem.*, or in case his seat is vacant, a majority of the General Council shall order a new election, by giving at least ten days' notice in any one or more of the city papers, or at two of the most public places in said city, and said election, so held, shall be managed in the same manner as the elections to be held in chief, according to the provisions of this Charter; *Provided*, however, if the office of Mayor shall become vacant at any time within three months of the expiration of his term of office, the Mayor *pro tem.* shall act as Mayor during the balance of said term, and exercise all the rights and powers of Mayor during said term.*

Mayor
elected bi-
ennially.

Mayor *pro
tem.* acts--
when.

SEC. 4. That he shall be ineligible for the succeeding term. He shall be chief executive of said city. He shall see that all the laws and ordinances of the city are faithfully executed; shall examine and audit all accounts against the city before payment; shall have a salary, adequate, to be fixed by the General Council preceding his election, which shall not be changed during his term of office. He shall have power to convene the General Council in extra session whenever, in his judgment, the exigencies of the case may require it.

Ineligible
for suc-
ceeding
term.

Extra ses-
sion.

*See Sections 262, 263.

May hold
Mayor's
Court.

SEC. 5. That the Mayor, or in his absence, the Mayor *pro tem.*, shall have full power and authority to hold, at such times and places, and under such rules and regulations as may be prescribed by ordinances, a Mayor's Court for said city for the trial of offenders against the ordinances of said city, and impose such penalties for violation thereof as may be prescribed by ordinance, not exceeding five hundred dollars and imprisonment, or labor on public works for thirty days for each offense. The like authority may be conferred upon any three members of the General Council, to be regulated by ordinance.

A Justice of
the Peace.

SEC. 6. That the said Mayor shall be, to all intents and purposes, a Justice of the Peace, so far as to enable him to issue warrants for offenses committed within the corporate limits of said city, which warrants shall be executed by the Marshal or Chief of Police; and commit to the jail of the county of Fulton, or to admit to bail offenders, for their appearance at the next Superior Court thereafter, for the county of Fulton; and it shall be the duty of the jailer of the county of Fulton to receive all such persons so committed, and safely to keep the same until discharged by due course of law.

No vote un-
less a tie.

SEC. 7. That he shall have no vote except in a case of a tie. He shall have the revision of all ordinances, orders and resolutions passed by the General Council, when such order, ordinance or resolution directs, contemplates, or authorizes the payment of any sum over two hundred dollars by the city, or liability for the same; and the said Mayor shall have four days after the meeting, at which the General Council voted, or after the Board of Aldermen voted thereon, in which to file with the Clerk, in writing, his dissent; but the General Council may, in the manner prescribed by this Charter for voting on such questions, pass the said order, ordinance or resolution, notwithstanding the veto, by vote of two-thirds, to be taken by yeas and nays, and entered on the minutes.†

Veto power

†See Sections 258, 260. Presides when, 261.

In the absence of the Mayor, this power may be exercised by the presiding officer for the time being: *Provided*, such veto power shall not be used to prevent the Mayor and General Council, by a majority vote, heretofore practiced, from submitting to a vote of the people the question of further aid to the Georgia Western Railroad, as now authorized by law, nor to prevent the will of said city, as the same may be expressed at said election, from being carried out.

Exercised
by Mayor
pro tem.—
when.

SEC. 8. Before entering on the discharge of the duties of his office, he shall take and subscribe the following oath, before some Judge of the Superior Court or Justice of the Peace: "I (A. B.) do solemnly swear that I will, to the utmost of my ability, discharge the duties of Mayor for the city of Atlanta during my continuance in office. So help me God."

Oath of
office.

SEC. 9. The Mayor, after being so qualified, shall have full power and authority to administer the oath of office to each member of the Board of General Council.

May ad-
minister
oath to
General
Council.

CHAPTER III.

LEGISLATIVE DEPARTMENT.

SECTION.

10. Legislative department—in whom vested—meet and act, how.
11. Five wards—Councilmen, election of—ineligible for second term.
12. Aldermen—election—term—vacancy—ineligible for succeeding term—Mayor *pro tem.*—compensation.
13. Two Boards act separately, when—jointly, when—yeas and nays—quorum.

SECTION.

14. Regular sessions—when held.
15. Powers of Mayor and General Council.
16. May pass penal ordinances.
17. *Ex-officio* Justice of Peace for certain purposes.
18. Shall not contract with city.
19. Hold until successor elected and qualified—vacancies, how filled.

SECTION 10. The legislative department of said city shall be vested in a Mayor and Board of Aldermen and Board of Councilmen. The Mayor and Board of Councilmen shall be styled the Mayor and Council; and the Mayor and Board of Councilmen meeting with the Board of Aldermen, or acting and meeting on separate days, but on any matter requiring the concurrent or separate action of both the Board of the Councilmen and Board of Aldermen, shall be styled

Legislative
departm't
—in whom
vested.

Meet and
act—how.

the Mayor and General Council. The said Board of Aldermen shall not be required to meet or act as a separate Board on any matters in said city, except as hereafter provided.

Firewards.

SEC. 11. The city shall be laid off into five wards by the present Council; said wards are to be as nearly equal as practicable, considering population and territory.* Two Councilmen shall be elected for each ward at the next annual election, by voters qualified to vote for members of the General Assembly, one to be elected for one year, the other for two years. At all subsequent elections, except to fill vacancies, the Councilmen shall be elected for two years.

Councilmen
—election of
—ineligible
for succeeding
term.

The election for Councilmen shall be annual, so that one-half shall go out every year. They shall be ineligible for the succeeding term.†

Aldermen
—election of
—term—vacancy.

SEC. 12. That there shall be elected at the next annual election, three Aldermen for the city at large; one to be elected for one year, one for two years, and one for three years.‡ At all subsequent elections, except to fill vacancies, one Alderman shall be elected for three years, so that one of said Aldermen for the city at large shall go out every year, and shall be ineligible for the succeeding term. The

Ineligible
for succeeding
term.

Mayor *pro tem.*

Alderman who is serving the last year of his term shall be Mayor *pro tem.* during said year.|| The Councilmen representing the different wards, and the Aldermen representing the city at large, shall constitute the General Council of said city, who shall have the powers heretofore given the Mayor and Council, and by this act vested in the Mayor and General Council of said city. They shall be elected by general ticket and shall have such compensation for their services as shall be fixed by the General Council preceding any election for members of such General Council. Said compensation shall not be changed during the term for which he or they are elected.

Compensation.

*See Sections 270, 271.

†Ineligible for other city office—Section 271.

‡Increased to five; then to six—Sections 265, 268.

||See Sections 259, 261, 264, 267.

SEC. 13. In all votes, resolutions, or ordinances, having for their object the increase of the indebtedness of the city, ^{Two Bor'ds act separately, when—jointly, when.} or the expenditures of its revenue, except appropriations for the payment of its salaried officers, the Councilmen representing the different wards, and the Aldermen representing the city at large, shall act as separate and distinct legislative bodies; and no vote, resolution, or ordinance having for its object the increase of the indebtedness of the city, or the expenditures of its moneys, shall be voted until the same shall have received a majority of the votes of each of those legislative bodies, separately cast. The Aldermen shall have no vote upon such questions, when originally presented and voted on by the Councilmen, as aforesaid, but shall meet as a separate body and vote on the same. When any such vote or resolution is passed, any one Alderman, or any two Councilmen, may give notice of a motion to reconsider, which motion, in either case, shall operate to delay the question until said reconsideration can be acted on at the next regular meeting; the meeting of said Aldermen to be presided over by the Mayor, or Mayor *pro tem.*, and the City Clerk shall keep minutes as in meeting of the General Council, and the Mayor presiding in either body shall have no vote, except in case of a tie. In all other matters they shall act as a joint board.* Each member of the General ^{Yeas and nays.} Council shall have the right to call for the yeas and nays, and have the same recorded on the minutes in all cases, whether sitting in General Council or as separate bodies. Eight shall constitute a quorum of General Council for ^{Quorum.} the transaction of business; a majority of either body, acting separately, shall be a quorum of the same; but in all cases a less number may adjourn from time to time, and compel the attendance of the absentees.

SEC. 14. That the regular session of the Mayor and ^{Regular session—when held.} General Council shall be held on the first and third Monday in each month, and continue from day to day, in their discretion.

* Ordinances, how adopted, Section 298.

Powers of
Mayor and
General
Council.

SEC. 15. That the said Mayor and General Council shall have full power and authority to pass all by-laws and ordinances respecting public buildings and grounds, work-houses, public houses, carriages, wagons, carts, drays, pumps, wells, springs, fire engines, care of the poor, suppression of disorderly houses, houses of ill fame, for the prevention and punishment of disorderly conduct and conduct liable to disturb the peace and tranquility of any citizen or citizens thereof, and every other by-law, regulation and ordinance that may seem to them proper for the security of the peace, health, order and good government of said city.

May pass
penal ordi-
nances.

SEC. 16. The said Mayor and General Council shall have power and authority to prescribe, by ordinance, adequate penalties for all offenses against the ordinances of said city, and to punish offenders by fines, not exceeding five hundred dollars, and imprisonment in the calaboose, not exceeding thirty days, for each offense; to enforce the payment of fines, by compelling offenders and those who fail or refuse to pay said fines, to work on the streets or public works of said city. They shall have power to compel offenders, sentenced to imprisonment in the calaboose, as aforesaid, to labor on the public works or streets, to be regulated by ordinance.

Ex-officio
Justice of
the Peace.

SEC. 17. Each member of the Board of Aldermen and each member of the Board of Councilmen shall be, to all intents and purposes, a Justice of the Peace, so far as to enable them, or any one, or either of them to issue warrants for offenses committed within the corporate limits of said city, which warrants shall be executed by the Marshal or Chief of Police, or either of the Lieutenants of Police, and to commit to jail in the county of Fulton, or to admit to bail offenders, provided the offense is bailable, for their appearance before the next Superior Court thereafter for the county of Fulton, and it shall be the duty of the jailer of said county to receive all such persons so committed, and safely keep the same until discharged by due course of law.

SEC. 18. It shall not be lawful for any member of the General Council to be interested, either directly or indirectly, in any contract with the City of Atlanta, the Mayor and General Council, or any one or more of them, having for its object the public improvement of the city, or any part thereof, or the expenditures of its moneys. Any violation of this section by any member of the General Council shall, on conviction thereof, be punished as prescribed in section 4310 of the Code of this State.

shall not contract with city.

SEC. 19. Each member of the General Council shall, in all cases, hold his office until his successor is elected and qualified. In case a vacancy shall occur, either in the Board of Aldermen or in the Board of Councilmen, by death, resignation, removal, or otherwise, the Mayor, in case his seat is vacated, the Mayor *pro tem.*, or a majority of the General Council shall order a new election by giving at least ten days' notice in one or more of the city papers, or at two or more of the most public places in said city; and said election, so held, shall be managed in the same manner as the election to be held in chief, according to the provisions of this Charter on the subject of elections.

Hold until when.

Vacancies--how filled.

CHAPTER IV.

ELECTIONS.

SECTION.

20. Election by Mayor and General Council.
21. Election Commissioners—how chosen—term—powers—clerks.
22. Elections—how conducted.

SECTION.

23. Election Commissioners—shall take oath and make returns.
24. Voters—qualifications—illegal voting.

SECTION 20. All persons holding office under elections or appointment by the Mayor and General Council, except Police Commissioners, shall be elected or appointed at the first meeting held in the month of January, 1875, and shall hold until the first meeting in July thereafter, at which time, and biennially thereafter, such elections shall be held or

Elections by Mayor and General Council.

appointments made: *Provided*, that the officers and appointees elected or appointed by the present Mayor and Council shall hold their offices until the aforesaid election in January, 1875, except the election of Commissioners, who shall hold as hereinafter provided. All such officers to be subject to removal for cause as herein provided.

Election
commission-
ers—how
chosen—
powers—
term—
clerks.

SEC. 21. At the first meeting of the Mayor and Council in the month of July, 1874, they shall appoint, and every two years thereafter the said Mayor and Council shall appoint, three Commissioners for each ward, freeholders, residing therein, to hold the elections in said ward; and in case of vacancy from removal or otherwise, the Mayor and Council, or Mayor and General Council, as the case may be, shall supply the same. These Commissioners shall hold their offices for two years, unless removed for cause, as aforesaid. The said Commissioners shall hold all city elections in their respective wards. They shall be judges of the qualifications of voters, shall have such clerks as they deem necessary to hold elections, to be selected by them for each ward, and such Commissioners shall serve without compensation.* The clerks shall have such compensation as may be allowed by the Mayor and Council, or Mayor and General Council, as the case may be. All vacancies in said Board of Election Commissioners shall be filled by the said Mayor and Council, or Mayor and General Council.

Elections—
how con-
ducted.

SEC. 22. If by 10 o'clock A. M., on the day of election, a majority of said Commissioners fail to attend at any voting place, and proceed to hold the election as herein provided, any three freeholders of the ward may hold and conduct the same: *Provided*, nevertheless, that nothing herein contained shall be construed to hinder or prevent any one or more of said Commissioners from acting as manager or managers, should they be present at the voting place, supplying the number of managers required by this Charter, from any of the freeholders of the ward.

*See Section 295, compensation authorized.

SEC. 23. The Election Commissioners provided for in the preceding section, or freeholders acting in their stead as above, shall take the oath and conduct the elections, and make returns to the Mayor and Council, if prior to January 1st, 1875, or if thereafter, to the Mayor and General Council, in the manner prescribed by law for the election of members of the General Assembly. The Mayor and Council, or the Mayor and General Council, shall consider the returns and declare the results. All cases of contested elections shall be tried by the Mayor and Council, or the Mayor and General Council.

Election commissioners shall take oath and make returns.

SEC. 24. No person shall vote either for Mayor or Aldermen, or Councilmen, at any other city election elsewhere than in the ward in which he resides, and the other qualifications of voters shall remain as now fixed by law. Any person voting, or attempting to vote, more than once, at any city election, provided for by this act, or by other law, and every person voting, or attempting to vote, in violation of this act, or other law providing for the city election, shall be guilty of misdemeanor, and upon indictment or accusation and conviction, shall be punished as provided for in section 4245 of Irwin's Code of Georgia, being section 4310 of the new Code of Georgia, 1882.

Voters—qualifications—illegal voting

CHAPTER V.

POWER TO TAX.

SECTION.

25. Mayor and General Council may levy *ad valorem* tax, not to exceed one and one-half per cent.
26. Registration tax.
27. May license to retail ardent spirits.
28. May license theatrical companies, shows, etc.

SECTION.

29. May license sale of lager beer, also billiard tables and ten-pin alleys.
30. May license brokerage business and pawnbrokers.
31. May tax itinerant traders.

SECTION 25. For the purpose of raising "revenue for the support and maintenance of said city government, the said Mayor and General Council shall have full power and authority, and they shall provide by ordinance for the assessment, levy and collection of an *ad valorem* tax on all real

Mayor and General Council may levy *ad valorem* tax not to exceed one and one-half per cent.

and personal property," within the incorporate limits of said city, not exceeding one and one-half per cent. thereon; || which shall include the school tax, which, under the laws of this State, is subject to taxation: *Provided*, nevertheless, that all assessments of real property shall be made at the cash market valuation.

REGISTRATION TAX. SEC. 26. The said Mayor and General Council shall have full power and authority to require any person, firm, company, or corporation, engaged in, prosecuting, or carrying on, or who may engage in, prosecute, or carry on, any trade business, calling or avocation, or profession, within the corporate limits of said city, to register their names, and business calling, vocation, or profession, annually, and to require such person, company, or association to pay for such registration, and for license to engage in, prosecute, or carry on, such business, calling or profession, aforesaid, not exceeding twenty-five dollars per annum.*

MAY LICENSE RETAIL OF ARDENT SPIRITS. SEC. 27. They shall have full power and authority to regulate the retail of ardent spirits within the corporate limits† of said city, and at their discretion to issue license to retail, or to withhold the same, and to fix the price to be paid for license at any sum they may think proper, not exceeding two thousand dollars.‡

MAY LICENSE THEATRICAL COMPANIES, SHOWS, ETC. SEC. 28. The said Mayor and General Council shall have power to pass such ordinances as they may think proper in regard to granting or not granting license to theatrical companies or performances, or for shows or other exhibitions: *Provided*, the price to be paid for such license, when granted, shall not exceed two hundred dollars for each performance or exhibition.

|| See Section 38.

* Wright & Hill vs. Atlanta, 54 Ga. (Supreme Court) Reps., 645.

† Sections 153, 154 and 156.

‡ Section 2, and also Section 285, for authority to regulate the sale of liquors at wholesale. For Taxation of Railroads, see Section 163. For Sanitary Assessment, see Section 157.

SEC. 29. The said Mayor and General Council shall have full power and authority to prohibit the selling of lager beer, or other fermented drinks, without the obtaining of a license for that purpose: *Provided*, the owner or keeper of each house or saloon kept for that purpose shall not be required to pay exceeding the sum of one hundred dollars for a license for one year. They shall have full power and authority to license billiard tables and ten-pin alleys, and all billiard tables kept or used for the purpose of playing, gaming or renting, and all ten-pin alleys, nine-pin alleys, or alleys of any kind which are kept or used for the purpose of playing on with pins or balls, or either, for the purpose of renting the same, and charge for said license a sum not exceeding fifty dollars on each table, alley or track.*

May license sale of lager beer, billiard tables, etc.

SEC. 30. The said Mayor and General Council shall have full power and authority to assess a tax on such persons carrying on the brokerage business in said city, of not more than three hundred dollars per annum, in addition to all other tax they may be required to pay. They shall have power to license pawnbrokers within their respective jurisdiction, define by ordinance their powers and privileges, to impose taxes upon them, to revoke their license, and generally to exercise such superintendence over pawnbrokers as will insure fair dealing between them and their customers.

May tax brokerage business and pawn brokers.

SEC. 31. *Be it further enacted*, That the said Mayor and General Council shall have the power to levy and collect from itinerant traders who may, directly or indirectly, by themselves or others, sell any goods, wares, or merchandise in said city, such tax as to them may seem proper.† *Provided*, that no person or persons shall be prohibited from selling, free from tax, any number of books, maps, charts or mathematical instruments made in this State or elsewhere, within the said City of Atlanta.‡

May tax itinerant traders.

*Section 284 enlarges power as to license fee for selling lager beer, etc.

†See Gould & Co. vs. Atlanta, 55 Ga. (Sup. Ct.) Reports, 678. Burr vs. Atlanta 225.

‡Proviso repealed.

CHAPTER VI.

FINANCE.

SECTION.

32. Bonds of the city, how issued.
 33. Expenses restricted to income—
 payment of floating debt.
 34. Borrowing money—when contracts
 are void—individual liability.
 35. Assessment of city property—esti-
 mate and apportionment of in-
 come—individual liability.

SECTION.

36. Clerk must exhibit balance sheet
 at each regular session.
 37. Treasurer to make annual settle-
 ment and estimate for ensuing
 year.
 38. Extraordinary tax of one-half of
 one per cent. may be levied.

Bonds of
 city—how
 issued.

SECTION 32. *Be it further enacted*, That hereafter no bonds of the City of Atlanta shall be issued, except to meet maturing and outstanding bonds, and except those already authorized by the present ordinance of the city, passed in pursuance of statutory authority, without first obtaining an affirmative by a two-thirds vote of two successive Councils, and the approval of the Mayor, also the sanction by vote of a majority of the voters of the city voting thereon, in the manner prescribed by Sections 21, 22, 23 and 24 of this act, entitled to vote for Mayor and members of the General Council, which election shall be conducted in the usual manner of conducting city elections, and be held the second Tuesday after the second two-thirds vote of the General Council. Those in favor of issuing bonds shall have written or printed upon their ticket, "For Bonds;" those against it, "No Bonds."*

Expenses
 restricted
 to income.

Payment of
 floating
 debt.

SEC. 33. *Be it further enacted*, That the annual expenses of the City of Atlanta shall be so restricted as not to exceed the annual income of the city after paying interest on her bonds and floating debt, and one-half† of the tax on real estate be first set aside for the payment of this floating debt, until all is paid.‡

SEC. 34. *Be it further enacted*, That no Council or General Council shall be allowed to borrow any money, except

* See Sec. 209 and Chapters XIX and XXIV; also Sec. 7, Art. 7, Constitution 1877.

† Changed to "one-fourth." See Sec. 111.

‡ Secs. 113, 121, 124.

NOTE.—Sinking fund in lieu of payment on floating debt as per Sec. 33. See Chapters XVII and XVIII.

as may be necessary to meet the present floating debt, or in carrying temporary balances on the same, and every contract for borrowed money, other than herein allowed, shall be void: *Provided*, nevertheless, that the Mayor and Council, or Mayor and General Council, shall have full power and authority, in their discretion, to negotiate loans on the most advantageous terms to said city, for the first and second quarter, to supply and make up any deficiency that may exist, of the funds in the treasury, for the purpose of paying the expenses of the city, which may be incurred under the several heads hereinafter mentioned, in any amounts not exceeding the amounts set apart under each head for the year in question: *And, provided further*, that as soon as an amount, equal to the amount so borrowed, is paid into the treasury by taxation, or from other sources of revenue, not already applied to other debts or liabilities of said city, the said Mayor and Council, or Mayor and General Council, shall at once apply the same, or as much as may be necessary, to the re-payment of said loans, or said Mayor and Council, or Mayor and General Council, shall be authorized, in their discretion, to make partial payments upon said loans with any moneys that may come into the treasury from time to time, under the restriction herein provided. In either case the total amount of said loans shall be repaid out of the income of the year in which said loans were made. All contracts entered into by said Council, contrary to this act, for the purpose of raising money, or otherwise engaging the credit of said city, shall be null and void as to said city, but the said Mayor, if he approve, and all members of the Council, or General Council, present and voting, who fail to record their votes against such measure or contract, shall be jointly and severally liable thereon, as upon their own contracts, which may be enforced against such Mayor and members of Council, or General Council, in any Court of this State having jurisdiction thereof.*

Borrowing money.

When contracts void.

Individual liability.

*See Secs. 119, 122, 125.

Assessment of city property—estimate and apportionment of income.

SEC. 35. *Be it further enacted*, That the said Mayor and General Council shall make, or cause to be made, an early assessment on city property, which assessment shall, in all cases, be made at the cash market valuation of the same, so that the return of the assessors can be completed and handed in by the first day of April of each year, and after all other returns for taxation shall be made, which in all cases shall be made by the first of May of each year.* Upon the return of the assessors being handed in as above provided, the said Mayor and General Council shall, by the tenth day of May thereafter,† cause an estimate to be made up and entered on the minutes, showing the gross amount of the income of the city for the fiscal year, ascertained by assessment of a tax not exceeding one and a half per cent. on the taxable property in the city, and a reasonable estimate of the other taxes and sources of revenue, and shall apportion and set apart the same, as follows, to-wit:

Appropriations may be varied.

1st. Interest on bonds; 2d. Interest on floating debt; 3d. For the support of public schools; 4th. For the reduction of the floating debt, being one-half‡ tax on real estate; 5th. Street force; 6th. Police; 7th. Public buildings and grounds; 8th. City gas; 9th. Salaries; 10th. Relief; 11th. Fire department; 12th. Cemetery; 13th. Contingent funds; which several sums, taken in the aggregate, shall not exceed the amount of income from all sources for the year in question. The annual appropriations, as made by the Council, may be varied as to the amount distributed to the several heads at the first meetings held in July and October—these variations not to retroact on expired quarters, and not to enlarge in any manner the aggregate appropriations for the year; and no money shall be appropriated from the City Treasury, except by resolution of the Council and Aldermen, as herein provided, which shall be void unless it specifies upon its face upon which of said funds it is

* Twentieth of May, and penalty for failure to return in time, see Section 139.

† Repealed. See Section 115. Also Chapters 17 and 18. Changes authorized as to estimates and appropriations, Sections 189, 157 and 139.

‡ Changed to first meeting in June.

drawn; and the said Mayor and members of Council and Aldermen shall be individually liable to the city for the refunding of any amounts appropriated or expenses incurred in excess of said limits, when present at the voting of the same—except such of them as escape said liability by calling the yeas and nays, and voting in the negative, and the name entered on the minutes—the amount thereof to be recovered in an action brought in any of the courts of this State having jurisdiction thereof, in the name of the Clerk of the Council, for the use of the city; and ten per cent. of the recovery shall be his compensation, and if he fail to bring said action within ten days the said sums may be recovered of him and his bondsmen, at the suit of any citizen, and no action brought under this section, or right of action, shall be settled without the consent of the Judge before whom such suit is pending, upon exhibit of all the facts, and such consent entered on the minutes.*

Individual liability.

SEC. 36. *Be it further enacted*, That for the purpose of enabling members of Council and Aldermen to know at all times the true financial condition of the city, the clerk shall prepare and read and enter upon the minutes, at the opening of each regular session, a balance sheet, showing the gross revenue of the fiscal year, and expenses voted by Council up to that time, as also the amount of the said several sums estimated as aforesaid, and what part of the same has been up to that time appropriated, and what part remains unappropriated.

Clerk must exhibit balance sheet at each regular session

SEC. 37. *Be it further enacted*, That the Treasurer of the city, at the close of each fiscal year, shall make a full tabular statement of the assets and resources of the city, with an itemized estimate of the probable and necessary expense for the ensuing year, which shall be published.

Treasurer to make annual statement and estimate for ensuing year.

SEC. 38. *Be it further enacted*, That in addition to the ordinary tax herein allowed, the Mayor and Councilmen and Aldermen may, in case of emergency, to be judged of by them, levy an extraordinary tax, not exceeding one-half of

Extraordinary tax of one-half of one per cent. may be levied.

* Section 190.

one per cent. (on the taxable property of said city), the said extraordinary tax to be added to the ordinary tax and collected at the same time and used for the same purpose.†

CHAPTER VII.

WATER SUPPLY.

SECTION.

39. Water Commissioners' election : term ; vacancy ; Mayor *ex-officio* a member of Board.
40. Shall choose President ; oath ; must keep record.
41. Quorum ; legal acts bind city.
42. Powers.
43. Appropriating or injuring real estate ; assessors ; appeal from assessment.
44. Payment for property taken or damage done.
45. Right to use roads, streets, etc.
46. Contracts, when to be in writing ; where deposited.
47. May issue bonds not to exceed \$500,000, including amount already issued.
48. Payment of interest on bonds.
49. Distribution of water ; conduits and appliances to extinguish fires.
50. Board may require payment in advance for water.

SECTION.

51. No water contract shall be longer than three years.
52. Persons injuring pipe, machinery, etc. ; liability ; punishment.
53. Property of Board exempt from taxation.
54. May execute promissory notes before sale of bonds ; *proviso*.
55. Board may make rules and regulations as to use of water ; examine apparatus, etc.
56. Interest on bonds—tax for ; investment of fund for ; must report deficit, if any.
57. No compensation to members of Board ; Mayor and General Council may inspect Water Works.
58. Members of Board may be removed by Mayor and General Council for cause.
59. Board may appoint an engineer ; may employ clerks and laborers.

SECTION 39. *Be it further enacted*, That by reason of the inadequate supply of water in said city, for extinguishing fires, and for domestic and sanitary purposes, and for the purpose of supplying said deficiency, the Board of Water Commissioners, as now established by law, shall be continued, as hereinafter provided. The Water Commissioners now in office shall have the right to hold their offices until the next regular election for Mayor and members of the General Council of said city, at which election one Water Commissioner shall, by the qualified voters of said city, be elected from each ward.* Those elected from the first, second and third wards shall hold their offices for a term of two

Water commissioners.

Election.

† Section 25.

* Board, how constituted. Secs. 187, and 204 to 208.

years, and those elected from the fourth and fifth wards, for a term of four years; after which the Commissioners shall be elected for a term of two years each; those from the first, second and third wards, at one time, and those from the fourth and fifth wards at one time.* Whenever a vacancy occurs by death, resignation or otherwise, it shall be filled by the Mayor and General Council for the balance of the term. The Mayor of said city, and his successors in office, shall be *ex-officio* a member of said Board.

Vacancy.

Mayor *ex-officio* member board.

SEC. 40. *Be it further enacted*, That said Board of Water Commissioners shall choose from their number, annually, one as a President of said Water Board. The said Board of Commissioners shall take and subscribe the oath administered to the Mayor and members of the General Council, and shall keep a record, in books to be kept for that purpose, of the acts and doings of said Board, a full report of which shall be made annually to the Mayor and General Council of said city, and the books of said Board shall be subject to examination at any time, by persons authorized to do so by the Mayor and General Council.

shall choose President.

Oath.

SEC. 41. *Be it further enacted*, That a majority of said Board shall constitute a quorum for the transaction of business, and all contracts and engagements, acts and doings of said Board, within the scope of their duty or authority, shall be obligatory upon, and be in law considered as if done by the Mayor and General Council of the City of Atlanta; and the said City of Atlanta, and all the real estate within the City of Atlanta, shall be liable for the payment of the principal and interest that may become due on the bonds or obligations to be issued by virtue of this act.

quorum.

Legal acts bind city.

SEC. 42. *Be it further enacted*, That the said Board shall, for (and in the name of) the Mayor and General Council of the City of Atlanta, take and hold the lands and real estate, rights, franchises, and property of every kind so purchased by the Board aforesaid, and other lands, real estate, or property, necessary in their opinion for the construction

Powers.

* See Secs. 187, 204 to 208.

of any canals, aqueducts, reservoirs, or other works for conveying or containing water, or for the erecting of any building or machinery, for laying any pipes or conduits for conveying the water into or through the said places, or to secure and maintain any portion of the works, and in general to do any other act necessary or convenient for accomplishing the purposes contemplated by this act.

SEC. 43. *Be it further enacted*, That in case of a disagreement between said Board and the owners of any lands, Appropriating or injuring real estate. or water-rights, or franchises, necessary for the construction of said water-works, or anything appertaining thereto, or as to the price to be paid therefor, as to the damage done thereto, or the owner of said land, or water-rights, or franchises, shall be a married woman, or an infant, or insane, or shall be absent from the State, then it shall and may be lawful for the Judge of the Superior Court of Fulton county, upon application of either party, or in case such owner shall be unknown, or cannot be found, then, upon notice of such application at said Court, may direct to appoint three disinterested persons to examine said property, and to assess the value thereof, or the damage done to the same, who shall, with as little delay as possible, Assessors. discharge said duty, after having taken an oath before some officer authorized to administer the same, impartially, to the best of their ability, and make a return of their actings and doings in the premises, to the next term of the Superior Appeal. Court of Fulton county, to be entered on the minutes of said Court, and made the judgment thereof: *Provided*, that in case either party is dissatisfied with said award, he or they may appeal to the Superior Court of said county, and have said case tried by a special jury, as in usual cases of appeal, upon giving to the opposite party notice within ten days after the making of said award, of his intention to do so, and giving bond with good security for the payment of all costs and damages which may accrue to the opposite party by reason of entering said appeal: *And, provided further*,

that the work on said water-works shall not be delayed by reason of entering said appeal.

SEC. 44. *Be it further enacted*, That whenever such report shall have been made the judgment of said Court, and no appeal has been entered, as aforesaid, the said Board shall, within two months thereafter, pay to the said owner, or to such person or persons as the Court may direct, the sum mentioned in said report, in full compensation for the property so required, or for the damages sustained, as the case may be, and in all cases when the title or interest of any person or persons in lands required and taken up for the purpose of this act is doubtful or disputed, or in case said owner shall be unknown, insane, *non compos mentis*, or an infant, or cannot be found, the value of, or damage to, such lands, awarded by the Commissioner appointed by said Judge of the Superior Court, may be paid into said Court, upon affidavit made of such facts by the claimant, his agent, or attorney, and such payments shall have the same effect as if made to the owner thereof, and the said Court may proceed in a summary way, upon petition of any person claiming to be the owner of said lands, or any part thereof, and to what person or persons the said money shall be paid, and shall have power to distribute the same among the persons entitled thereto, and thereupon the Mayor and General Council of the City of Atlanta shall become seized *in fee simple* of such property so required, and shall be discharged from all claims by reason of such damage.

SEC. 45. *Be it further enacted*, that the said Board, in behalf of the Mayor and General Council of the City of Atlanta, and all persons acting under their authority, shall have the right to use the ground or soil under any road, railroad, highway, street, lane, alley or court, within the State, for the purpose of constructing, enlarging, or improving any of the work contemplated by virtue of this act, upon condition that they shall not permanently injure any such railroad, highway, street, lane, alley or court to be

Payment
for pr'per'y
or damage.

Use of
roads,
streets, etc.

restored to its original state, and all damages done thereto be repaired.

Contracts
—when in
writing.

Where de-
posited.

SEC. 46. *Be it further enacted*, That all contracts for material, or for the construction of any part of said work, which shall involve the expenditure of five hundred dollars or more, shall be made in writing, and of each contract two copies shall be taken, which shall be numbered with the number of said contract, and indorsed with the name of the contractor, and a summary of the work to be done, or material to be furnished. One of the said copies shall be deposited with the auditor of accounts of the City of Atlanta, and one shall be retained by said Board. The said Board shall have authority to require from any person or persons with whom they shall enter into a contract, satisfactory security for the faithful performance of said contract, according to its terms, and no member of said Board shall be interested, directly or indirectly, in any contract relating to said works.†

May issue
b'nds—not
to exceed
\$500,000.

SEC. 47. *Be it further enacted*, That for the purpose of purchasing material and constructing the said Atlanta water-works, the Board of Commissioners shall be authorized to issue for, and in behalf of, the City of Atlanta, certain obligations, which shall be known as "Atlanta Water Bonds," and of such denominations as convenience requires, to the amount of not exceeding five hundred thousand hollars,* (\$500,000) less amount already issued heretofore by the Mayor and Council of said city, for the purpose of constructing said water-works, bearing interest at the rate of seven per cent. per annum, redeemable at the city of New York, thirty years from date, the interest of which shall be paid semi-annually, in the city of New York, on all the bonds to which this act refers. That the Mayor and Treasurer of the City of Atlanta shall sign and seal said "Atlanta Water

*See Act 1877, Sec. 183. At the date of the approval of this act (1877) \$440,000 of Water Bonds had been issued. None have been issued since. But see Sec. 209 and election in 1890 under.

†See Secs 188 and 202.

Bonds," and the coupons attached, and the President of the Board shall countersign the same.

SEC. 48. *Be it further enacted*, That for the purpose of Payment of interest on bonds. paying interest on bonds which shall have been sold, and before a revenue can be realized from said water-works, not yet completed, the interest which may fall due on bonds disposed of, the Mayor and General Council of Atlanta shall provide by tax for the payment of said interest.

SEC. 49. *Be it further enacted*, That the said Board shall Distribution of water. regulate the distribution and use of said water in all places, and for all purposes where the same may be required, and from time to time shall fix the price for the use thereof, and the time of payment, and they shall erect such number of public hydrants and in such places as they shall see fit, and direct in what manner and for what purpose the same shall be used, all of which they may charge, at their discretion: *Provided*, that all conduits or appliances required Appliance to extinguish fires. and furnished for the purpose of extinguishment of fires shall be erected at the expense of the Mayor and General Council of the City of Atlanta, and placed as they shall direct, and be under their exclusive control and direction.

SEC. 50. *Be it further enacted*, That the said Board shall Payment for water. have full power and authority to require the payment in advance for the use or rent of water furnished by them, in or upon any building, place or premises, and in case prompt payments shall not be made, they may shut off the water from such building, place or premises, and shall not be compelled again to supply said building, place or premises with water until said arrears, with interest thereon, shall be fully paid.

SEC. 51. *Be it further enacted*, That the said Board shall No water contracts longer than three years. make no contract for the price of using the water for a longer time than three years, and at the expiration of any term or lease, the price paid for the use thereof shall be adjusted according to the regulations then established.

SEC. 52. *Be it further enacted*, That if any person or per- Persons injuring pipes, etc. sons shall maliciously or willfully divert the water, or any

portion thereof, from the said works, or shall corrupt or render the same impure, or shall destroy or injure any canal, aqueduct, pipe, conduit, machinery, or other property used or required for procuring or distributing the water, such person or persons, and their aiders and abettors, shall forfeit to the said Board, to be recovered in an action of trespass, treble the amount of damages, (besides cost of said suit), which shall appear on trial to have been sustained, and all such acts are hereby declared to be misdemeanors; and the parties found guilty thereof may be further punished by fine not exceeding one thousand dollars, or by imprisonment not exceeding one year, or both, at the discretion of the Court.

SEC. 53. *Be it further enacted*, That all lands and real estate, and property of every kind, so held as aforesaid, by the said Board, and in the name of the Mayor and General Council of the City of Atlanta, shall be exempted from taxes and assessments.

SEC. 54. *Be it further enacted*, That the said Board shall be authorized to execute promissory notes, or accept drafts for any of the legitimate purposes of the said works, in anticipation of the receipts of the proceeds of the sale of the bonds hereinbefore authorized to be issued by them, or of the revenue of the said works: *Provided*, however, that the whole amount of the permanent indebtedness of the city to be increased by them by virtue of this act, shall not exceed the sum of five hundred thousand dollars.

SEC. 55. *Be it further enacted*, That the said Board shall have power to make rules and regulations respecting the introduction of water into or upon any premises, and, from time to time, to regulate the use thereof in such manner as shall seem to them necessary and proper, and the members of said Board, and all engineers, superintendents, or inspectors in their service, are hereby authorized and empowered to enter at all seasonable hours, any dwelling or other places where said water is taken and used, and where unnecessary

waste thereof is known or suspected, and examine and inquire into the cause thereof. They shall have full power to examine all surface pipes, stop-cocks, and other apparatus connected with the said works, for the purpose of ascer-^{Examine apparatus, etc.} taining whether the same are of the character and dimensions, and fixed in the manner directed in permits issued therefor; and if any person refuse to permit such examination, or oppose or obstruct such officer in the performance of such duty, he, she or they so offending shall be liable to such penalty, not exceeding ten dollars, for such offense as the Board may impose, and the supply of water may also be shut off until the required examination is made, and such alterations and repairs are completed as may be necessary.

SEC. 56. *Be it further enacted*, That for the purpose of^{Interest on bonds.} enabling the Treasurer of said City of Atlanta to pay the interest upon the bonds issued by virtue of this act, it shall be the duty of said Board to pay annually to said Treasurer, and at least one week prior to the time when such payment shall become due, all the net revenue of their said works for the preceding six months, unless the said revenue shall be more than is sufficient for said payment, in which said case they shall pay to said Treasurer only a sufficient sum for that purpose.* In order to create a fund for the payment of said bonds at their maturity, it shall be the duty of the Mayor and General Council of said City of Atlanta to raise annually by tax, the sum of thirty-five hundred dollars, until said bonds shall be paid and redeemed, which sum the Treasurer of said city shall, annually, on the first Monday in November^{Tax for.} of each year, pay over to said Board for that purpose.† The said Board are hereby authorized to invest the said sum from time to time, together with such net revenue^{Investment of fund.} as may from year to year remain in their hands, after all necessary expense of said work and the interest upon said bonds, as a sinking fund for the redemption of said bonds. The said Board shall have power to make such rules

* Section 188.

† Section 191.

and regulations respecting the management of said funds as they deem expedient, but no part thereof shall at any time be used in any manner inconsistent herewith. They shall keep accurate and separate books from those in which other accounts are kept, and shall annually make a full and detailed report of the state of said fund to the Mayor and General Council. In case the revenue received by the Board shall not in any year be sufficient to pay said interest and all necessary expenses of said work, the fact shall be reported in their semi-annual statement by the said Board to the Mayor and General Council, and it shall thereupon be the duty of said Council to pay over to said Board an amount of funds equal to said deficiency, and, if necessary, they may raise said amount of tax in the next year thereafter.

Report of
deficit.

SEC. 57. *Be it further enacted*, That the said members of said Board shall not receive any compensation for their services, but shall be paid for all reasonable expense they may incur while in the performance of their duties.* That the said Mayor and General Council shall be authorized by a committee of their own number, or otherwise, to inspect semi-annually, or oftener, the state and condition of the works and property thereto belonging, and the said Board shall give them every reasonable facility and assistance in making such inspection.

Board no
compensa-
tion.

Mayor and
General
Council
may in-
spect
works.

SEC. 58. That the Mayor and General Council of the City of Atlanta, may, at any time, remove any member of said Board. *Provided*, it shall satisfactorily appear, after reasonable notice to the parties, and hearing the cause of complaint and answer thereto, if any should be offered, that the member whose removal is sought has been guilty of maladministration or neglect of the duties of his office, that his removal will be right and proper, and two-thirds of the members elected to said Council shall concur in such removal.

Members of
the Board
removed
for cause.

*Sec. 187. (Compensation not to exceed \$200.00 per annum.)

SEC. 59. That the said Board of Commissioners shall have power to appoint a competent engineer for the construction of said water-works, and to fix his compensation therefor while so employed; also, to employ such clerks and laborers as may from time to time be found needful, and fix their compensation. †

Board may appoint engineer, employ clerks, etc.

CHAPTER VIII.

STREETS, SIDEWALKS, GRADES, ETC.

SECTION.

60. Power to open, lay out, widen, straighten, or otherwise change streets: assessment of damage: appeal.
61. May enforce award by execution.
62. May fix system of grading and draining streets: may order sidewalks laid down.

SECTION.

63. Persons liable to road duty subject to street duty; may levy tax in lieu of work; defaulters.
64. Permanent grade of streets—duty of City Engineer to furnish.
65. Shall not interfere with contract of Mayor and General Council over Engineer.

66. Application for grade—when not made under oath.

SECTION 60. The said Mayor and General Council shall have full power and authority to open, lay out, to widen, straighten, or otherwise change streets, alleys and squares in the said City of Atlanta. ‡ Whenever the said Mayor and General Council shall exercise the power above delegated, they shall appoint two freeholders, and the owners of said lots fronting on side streets or alleys shall, on five days' notice, appoint two freeholders, who shall proceed to assess the damages sustained, or the advantages derived, by the owner or owners of said lots, in consequence of the opening, widening, straightening, or otherwise changing said streets and alleys; and in case said assessors cannot agree, they shall select a fifth freeholder, the said assessors to take an oath that they will faithfully discharge their duties, and either party to have the right to enter an appeal to the Superior Court of Fulton county within ten days from the rendition of said award. *

Streets—power to open, etc.—assessment of damages.

Appeal.

† Additional powers and legislation. See Secs. 194 to 203.

‡ See Sec. 239.

* Amended. Secs. 253 to 257. Also 83 Ga. Oliver vs. R. R.

Enforce-
ment of
award.

SEC. 61. The Mayor and Council of said city to have power and authority to levy, collect and enforce the final award or judgment, in each and every case, by execution against the owner or owners of said lots, when the same is found to be advantageous to said owner or owners.†

Grading
and drain
ing.

SEC. 62. The said Mayor and Council shall have full power and authority to establish and fix such a system of grading and draining of the streets of said city as they may deem proper.* They shall have full power and authority to order such pavements or sidewalks laid down as they may deem proper. Upon failure of any person to comply with the same, within the time prescribed, the said Mayor and General Council may have the same done, and levy and collect the expense thereof, by execution, against the lands and goods and chattels of the owner of the lot or lots. ||

May order
sidewalks
laid down.

Street duty

Tax in lieu
of work.

Defaulters.

SEC. 63. All persons liable to perform road duty, by the laws of the State, shall be liable and subject to work on the streets of said city, under the direction and control of the proper officers of said city: *Provided*, that the Mayor and General Council of said city shall have power to levy a street tax in lieu thereof: *And, provided further*, that all persons who shall fail or refuse to pay said tax, on or before such day as said Mayor and General Council, by ordinance, may require, the person failing shall be required, upon three days' notice, to do and perform street work, as aforesaid, and upon failure thereof, such defaulter shall be liable to be dealt with by the Mayor and General Council as for violations of other ordinances of said city, or may be compelled to work on the public works of said city.†

Permanent
grades.

SEC. 64. Any person or corporation owning real estate in said city, within three-quarters ($\frac{3}{4}$) of a mile of the carshed, desiring to improve the same, shall possess the right to have the grade of any street, bordering on the same, per-

* *Green vs. Atlanta*, 67 Ga., 386. *Moore vs. Atlanta*, 70 Ga., 611. See Secs. 210 to 219; Also 235 to 238—and 245 to 251.

† *Cobb vs. Mayor, etc.*, Dalton, 53 Ga., 426.

‡ This seems to be of no effect under decision in 37 Ga., 113.

|| See Secs. 211 and 212.

manently established, by complying with the following conditions, to-wit: The owner, his agent or attorney, shall make an affidavit, stating the ownership and description of the property that is intended to make improvement on, either fencing or building, or otherwise; that such improvements are to cost above the sum of one hundred dollars, and that he desires to have the grade of such street or streets established. ^{Engineer to furnish.} A copy of such affidavit shall then be served on the City Surveyor or Engineer, whose duty it shall be, within thirty days thereafter, to make the necessary survey, and fix the grade of such street, and make a plat or profile showing the same, and shall deliver it to the applicant, together with the affidavit of said surveyor, showing that the same is correct and fair, and upon the same being filed, together with the original affidavit, in the office of the Clerk of the Superior Court of Fulton county, for record, the owner shall thereupon have a vested right in such grade, and shall be entitled to recover damages from the city for any injury done to said property, should the city thereafter alter such grade; such damages to be ascertained, recovered and paid, in the manner in which the laws and ordinances in force at the time may provide for ascertaining, recovering, and paying damages done to property in laying out or widening streets.

SEC. 65. Nothing in this Charter contained shall operate to interfere with the control had by the Mayor and General Council of said city over the manner in which the City Surveyor or Engineer shall execute their instructions, or the instructions of the committees in regard to the grade of any street; but any failure or dispute which may happen therein shall not operate to delay, hinder or affect the remedy given by this act to any owner of property seeking to have his grade established as aforesaid. ^{Control of Mayor and General Council over engineer.}

SEC. 66. In case the owner of any real estate in said city desires to have the grade fixed as aforesaid, for any reason other than a purpose to make improvements on the same, he shall make his application in writing, not under oath, to ^{When application not under oath.}

the City Surveyor or Engineer, but need not incorporate any reason therein, upon which all subsequent proceedings shall be the same as above set forth, such written application taking the place of the affidavit provided for in the foregoing section of this Charter: *Provided*, that when the party proceeds by written application, not under oath, as aforesaid, the authorities of the city shall have six months, instead of thirty days, in which to make and return the survey as aforesaid.

CHAPTER IX.

BOARD OF HEALTH.

SECTION.

- 67. Board of Health; report nuisance—Mayor and General Council power to abate.
- 68. Drainage of lots and cellars.

SECTION.

- 69. Vacancies in Board; how filled; Mayor and General Council may plead this act.
- 70. Ordinances to carry act into effect.
- 71. Board of Health may abate nuisances, proviso.

Board of
Health.

Report
nuisances.

Abatement
of

SECTION 67. The Mayor and General Council of said city shall have full power and authority, at the first or subsequent meeting after each municipal election, to appoint (one fit and proper person from each ward,* who, together, shall constitute) a Board of Health, a majority of whom shall be a quorum for the transaction of business. It shall be the duty of said Board of Health to meet weekly, or as often as may be necessary, to visit every part of the city, and to report to the Mayor and General Council all nuisances which are likely to endanger the health of the city or of any neighborhood. That said Mayor and General Council shall have power, upon the report of said Board of Health, to cause such nuisances to be abated, and its recommendation to be carried out in a summary manner, at the expense of the party whose act or negligence caused such nuisance, or of the owner of the property upon which the same may be located, as the Mayor and General Council shall elect.

*Sections 299, 300, 289 and 302.

SEC. 68. That the said Mayor and General Council of the city of Atlanta shall have full power, upon the recommendation of said Board of Health, to cause the owners of said lots or cellars within the corporate limits of said city, to drain or fill the same to the level of the streets or alleys upon which said lots or cellars are located; that if the owner of said lots or cellars, or the occupants of the same, in the discretion of Council, shall fail or refuse, after reasonable notice to him or his agents, to comply with the requirements of the said Mayor and General Council, by draining said lots or cellars, or by filling up the same, it shall be lawful for said Mayor and General Council to have this work performed, and the amount so expended collected by execution, issued by the Clerk of said Council against the owner or occupant of the lots or cellars, as the said Mayor and General Council may elect, and the sale under said execution shall pass as complete and perfect title to the property sold as a sale by the Sheriff under a judgment and execution.

Drainage of
lots and
cellars.

SEC. 69. That the said Mayor and General Council of the City of Atlanta shall have full power and authority to fill any vacancies that may occur in the Board of Health; that this act may be plead as, and shall be, a complete bar to any action brought against the said Mayor and General Council, or either of them, for any act done by them under its provisions and the ordinances passed in pursuance of it.

Vacancy
Board.

Act may be
plead.

SEC. 70. That the said Mayor and General Council shall have full power to pass all ordinances that may be necessary to carry the provisions of this act into complete and full effect.

Ordinances
to carry in-
to effect.

SEC. 71. That the Board of Health of the city of Atlanta may exercise the same power as is now vested in the Mayor and General Council of said city, relating to the abatement of nuisances, which are likely to endanger the health of said city, or any neighborhood therein, to such extent and under such regulations as may be prescribed by the Mayor and General Council: *Provided*, that nothing in this section

Board may
abate nui-
sances.

Proviso.

shall be construed as to divest the power to cause such nuisances to be abated, which the said Mayor and General Council have under this charter.*

CHAPTER X.

POLICE DEPARTMENT.

SECTION.

72. Board of Police Commissioners, election; term; vacancy in Board—how filled.
73. Members of Board must take oath.
74. Shall elect Chief of Police and other police officers and policemen; shall keep record of proceedings; hold stated meetings; quorum; compensation of Board; control of police force.

SECTION.

75. City Council shall prescribe number of force; must take oath; term of office.
76. Compensation of force; arrest for State offenses; other duties; Chief to prosecute offenders; suspension or removal; accusation and trial.
77. Police force to be armed and uniformed.

SECTION 72. The Board of the Commissioners of Police shall consist of five persons, neither of whom shall be a member of the General Council. They shall be elected by the Mayor and Council. The first election shall be held at the first regular meeting of the Council, in March, 1874. The terms for which they shall be elected, are as follows: Two for the term of one year, and two for the term of two years, and one for the term of three years. At the first regular meeting in March in each succeeding year, an election shall be held to elect, for the term of three years, a Commissioner or Commissioners to succeed the Commissioner or Commissioners whose term or terms may then expire. Should a vacancy occur in the Board during the year 1874, from other cause than the expiration of a regular term, an election to fill it shall be immediately held by the Council, any year thereafter by the General Council, and such incumbent shall hold until the unexpired term shall expire, and until his successor is elected and qualified.

* As to other nuisances see Code of Ga. of 1882, section 4095, and 59 Ga., R. 790.

Each regular term shall begin at the date of the election, and close as hereinafter declared, and until a successor is elected and qualified.*

SEC. 73. Each member of the Board, before entering on Oath. the duties of his office, shall take and subscribe this oath of office before some officer authorized to administer it: "I swear that I will faithfully and impartially demean myself as a Commissioner of Police during my continuance in office. I have not, in order to influence my election to this office of Commissioner, directly or indirectly, expressly or impliedly, promised my vote or support to any person for any office in the city of Atlanta, nor for any other office. I will not knowingly permit my vote, in the election or appointment of any person to position on the police force, to be influenced by fear, favor or affection, reward, or the hope thereof, but in all things pertaining to my said office I will be governed by my conviction of the public good." The oath shall be entered on the minutes of the proceedings of the Board, and the original shall be filed in the office of the Clerk of the City Council.

SEC. 74. The Board of Police Commissioners thus elected and qualified shall have the exclusive power, and it shall be their duty, to appoint a Chief of Police, and such other police officers and policemen as is or may be prescribed by city ordinance. This power extends to unexpired as well as regular terms. They shall keep a record of their proceedings, and one of said Board shall act as clerk thereof. They shall hold a stated meeting each month, and such other meetings as the public interest may from time to time require. Three shall constitute a quorum, with power to transact business. Their compensation shall be fixed by the City Council, but it shall not be less than one hundred dollars per annum for each Commissioner, and it shall be paid out of the city treasury. They shall exercise full direction and control of the officers and members of the

Elect Chief and other officers.

Shall keep record.

Quorum.

Compensation.

Control of force.

*Mayor ex-officio.

police force, in conformity to existing laws and ordinances, and such as may be made applicable to the subject.

SEC. 75. The police force of the city shall consist of a Chief of Police and such other officers and men as the City Council shall by ordinance prescribe. They shall take an oath faithfully and impartially to discharge the duties imposed on them by laws and the city ordinances, and shall give such bonds as may be required of them by city ordinance. Their several terms of office shall commence on the first day of April and continue for two years.

SEC. 76. Their compensation shall be prescribed by ordinance, and shall not be increased or diminished during their respective terms. No extra pay, or allowance or cost, shall be made to them, or either of them. It shall be their duty to make arrests, in the manner prescribed by law, of persons violating any penal law of this State.* They shall perform such other duties as may be imposed by law of the State or ordinance of the City Council. It shall be the duty of the Chief of Police to prosecute offenders before the Superior Court of Fulton county and the City Court of Atlanta. For a failure to perform any duty required by law or the city ordinances, they may be suspended or removed from office by the Board of Police Commissioners. The mode of preferring accusations against them, and of their trial, shall be prescribed by city ordinance. The City Council shall also prescribe the manner of suspending, until trial, the Chief of Police, or any other police officer or policeman, when accusation is brought; and in all such cases the Board of Commissioners of Police may make appointments to the office or place of the suspended person, such appointment to hold during suspension.†

SEC. 77. The Mayor and General Council shall cause the entire Police force of the city to be armed and so uniformed as to be readily recognized by the public as peace officers; the arms only to be furnished at the expense of, and to remain the property of the city.

*Harris *vs.* Atlanta, 62 Ga., 290.

†Queen *vs.* Atlanta, 59 Ga., 318.

CHAPTER XI.

PUBLIC SCHOOLS.

SECTION.

78. Public Schools—power to establish and maintain.

SECTION.

79. No special tax for school purposes.

SECTION 78. The Mayor and General Council of said city are hereby empowered to maintain a system of public schools, as now established by law, in the said city, which shall be free to all the children within the said city. And the said Mayor and General Council shall, by ordinance or otherwise, in their discretion, provide for appropriate agencies to regulate, improvise, and carry on said system of schools and render the same efficient.

Public Schools—
Power to establish and maintain.

SEC. 79. No special tax shall be levied and collected for school purposes in said city, but the expense of carrying on said system of public schools shall be paid out of the city treasury, under such rules as may be prescribed by ordinance.

No special tax.

CHAPTER XII.

CITY ASSESSORS.

SECTION.

80. City Assessors; election; duties.

81. Oath of office; compensation.

SECTION.

82. Clerk of Council; compensation; bond; oath; duties.

83. Compensation for insolvent tax *fl. as.*

SECTION 80. That the Mayor and General Council shall have full power and authority to elect at the same time the other city officers are elected, three persons, freeholders, residents of said city, as City Assessors,* who shall hold their office as prescribed in the 20th section of this act, unless removed by the Mayor and General Council for cause, to be judged of by them. It shall be the duty of said assessors to assess the value of all real estate, at the cash market valuation, within the corporate limits of said city, shall make a return to the said Mayor and General Council, as provided

City assessors—election—duties.

* See Secs. 174 to 182. Also Sec. 139.

by the 35th section of this act; and the said Mayor and General Council shall place such assessment, so returned, in the hands of the Tax Receiver of said city, who shall enter the same in his books with other taxes, and the same shall be collected as other taxes of said city.

Oath of office.

SEC. 81. The said assessors, before they enter on the discharge of their duties, shall take and subscribe an oath before the Mayor, faithfully and truly to assess all the real estate within the corporate limits of said city, and to return such assessment to the Mayor and General Council thereof, with the names of the owners thereof, and shall receive for their services such sums each, as the Mayor and General Council shall order.†

Compensation.

Clerk of Council.

SEC. 82. There shall be elected by the Mayor and General Council, at the time prescribed by 20th section of this act, for the election of city officers, a Clerk of Council, who shall hold his office as prescribed by the said 20th section of this act, unless removed for cause, to be judged by the Mayor and General Council, and who shall receive such salary, or perquisites, or both, as the Mayor and General Council next preceding his election shall prescribe. He shall give bond and good security, to be fixed and judged by the Mayor and General Council, for the faithful performance of his duties. He shall take and subscribe an oath, before some officer authorized to administer it, to faithfully discharge the duties of his office. His duties shall be prescribed by ordinance.

Compensation for insolvent tax *fi. fas.*

SEC. 83. The said Clerk shall receive such compensation for all insolvent tax *fi. fas.* as the Mayor and General Council shall by ordinance establish.

† See as to Salaries, Sec. 289.

CHAPTER XIII.

TAX RECEIVER AND COLLECTOR—TREASURER—MARSHAL.

SECTION.

84. Tax Receiver and Collector; election; bond; compensation; oath; duties.
85. Treasurer; election; salary; bond; oath; duties.

SECTION.

86. Marshal; election; duties; bond; compensation.
87. Marshal's oath of office.
88. Marshal to act as City Inspector.

SECTION 84. There shall be elected by the General Council, at the same time the other city officers are elected, a Tax Receiver and Collector for said city, who shall be elected and hold his office as prescribed in the 20th section of this Act, unless removed for cause, to be judged of by the Mayor and General Council. He shall give bond and good security, to be fixed and judged by the said Mayor and General Council, payable to the city of Atlanta, for the faithful discharge of his duties. He shall receive for his services such compensation as the Mayor and General Council next preceding his election shall prescribe, which shall not be increased or diminished during his continuance in office. * Before entering upon the discharge of his duties he shall take and subscribe an oath, before some officer authorized to administer it, to faithfully discharge the duties of his office. His duties shall be prescribed by ordinance.*

Tax Receiver and Collector.

Oath.

SEC. 85. There shall be elected by the Mayor and General Council, as herein provided, a City Treasurer, who shall be elected and hold his office as prescribed in the 20th section of this Act, unless removed for cause, to be judged of by the Mayor and General Council; to have a reasonable salary, to be fixed by the Mayor and General Council next preceding his election, which shall not be increased or diminished during his continuance in office. He shall give a bond and security, in the amount to be fixed by the Mayor and General Council, for the faithful discharge of the duties of his office. He shall take and subscribe an oath, before some officer authorized to administer it, faithfully to discharge the duties of his office. He shall keep a book in

Treasurer.

Oath.

*Sections 178 and 139.

Duties. which he shall make an entry of all sums of money received and shall also make an entry of all sums of money paid out, and shall take receipts of all sums of money paid out, which book and receipts shall be subject to the inspection of the Mayor and members of the General Council of said city, at such times as they, or either of them, shall think proper.

Marshal. SEC. 86. There shall be elected by the Mayor and General Council, at the same time the Clerk is elected, a Marshal, who shall be elected and hold his office as provided in the 20th section of this Act, on the subject of elections by the Mayor and General Council, unless removed for cause, to be judged of by the Mayor and General Council. He shall be separate and distinct from the police force of the city. It shall be his duty to collect or levy *fi. fas.* for taxes and *fi. fas.* for fines, and advertise and sell property so levied on, and make titles to purchasers, and put them in possession of the property so sold at sales, under laws governing the said Mayor and General Council, under the same rules and regulations that govern the sheriff and his deputies at sheriffs' sales. He shall give bond to said city, with good security, for the faithful discharge of his duties, and shall have such compensation and perquisites as the General Council shall prescribe, which compensation shall not be changed during his term of office, and shall be ineligible* for the succeeding term, and shall do and perform such other services as the Mayor and General Council shall prescribe by ordinance.

Duties. *fi. fas.* for taxes and *fi. fas.* for fines, and advertise and sell property so levied on, and make titles to purchasers, and put them in possession of the property so sold at sales, under laws governing the said Mayor and General Council, under the same rules and regulations that govern the sheriff and his deputies at sheriffs' sales. He shall give bond to said city, with good security, for the faithful discharge of his duties, and shall have such compensation and perquisites as the General Council shall prescribe, which compensation shall not be changed during his term of office, and shall be ineligible* for the succeeding term, and shall do and perform such other services as the Mayor and General Council shall prescribe by ordinance.

Compensation. SEC. 87. Before entering upon the discharge of the duties of his office he shall take and prescribe an oath, before some officer authorized to administer it, to faithfully discharge the duties of his office.

Oath. SEC. 88. It shall be the duty of the Marshal to act as city inspector, under such rules and regulations as the Mayor and General Council shall prescribe, who shall be empowered to enforce the State laws on the subject of weights and measures, and such other rules and regulations as are not in conflict with the laws of this State.

Act as City Inspector.

* See Section 296.

CHAPTER XIV.

RECORDER—AUDITOR.

SECTION.

89. Recorder; election; authority; term of office.

90. Salary; vacancy; removed for cause.

91. Powers; oath; may hold their office; duties.

SECTION.

92. Auditor; election; salary; duties; removed for cause; General Council must examine accounts and reports.

SECTION 89. The Mayor and General Council may, in their discretion, at the time the Treasurer is elected, elect a Recorder, whose duty it shall be, when so elected, to preside at the City Court, known as the Mayor's Court, with as full and ample authority to try and dispose of all cases within the jurisdiction of the Mayor's Court, as the Mayor has under the provisions of this Charter. He shall hold his office for the term, as provided under the 20th section of this Charter, unless removed for cause, to be judged of by the Mayor and General Council.

Recorder—
authority.

SEC. 90. The salary of the Recorder shall be fixed by the Mayor and General Council next preceding his election, and shall not be increased or diminished during his continuance in office. In case of the death, removal or resignation of the Recorder, the Mayor and General Council may elect a successor to fill the unexpired term. He may at any time be removed by the Mayor and General Council for cause, to be judged of by them.

Vacancy.

Removal
for cause.

SEC. 91. When sitting as a Recorder's Court he shall have full power and authority concurrent with the Mayor, Mayor *pro tem.*, or three members of the General Council, to try all offenders against the ordinances of said city, and impose such penalties for violation thereof as may be prescribed by the ordinances of said city. Before entering upon the duties of his office, he shall take and subscribe an oath, before some officer authorized to administer it, faithfully to discharge the duties of the same. The Recorder may hold any other office not necessarily conflicting

Powers.

Oath.

May hold
other
office.

with his duties as Recorder. His duties, not herein enumerated, may be prescribed by ordinance.

SEC. 92. The Mayor and General Council may, at their discretion, at the same time the other city officers are elected, elect an Auditor, who shall hold his office as provided in the 20th section of this Act, unless removed for cause, to be judged of by the Mayor and General Council. He shall receive such salary as may be voted him by the General Council next preceding his election, which shall not be increased or diminished during the term for which he was elected. He shall examine quarterly the books, papers and accounts of all the city officers, through whose hands money may pass, and make a written report to the Mayor and General Council as to the correctness of said accounts. The Auditor may be removed at any time for malpractice in office, or for incompetency. The election of an Auditor, with the duties above set forth, shall not relieve the members of the General Council of the responsibility of examining into all accounts for and against the city, and into the reports of the city officers.

Auditor—
salary of.

Duties.

Removed
for cause.

General
Council
must ex-
amine ac-
counts, etc.

CHAPTER XV.

BUILDING INSPECTORS—CITY ATTORNEY—CITY ENGINEER —CITY SEXTON.

SECTION.

- 93. Building Inspectors; duties.
- 94. Recommendations to be executed.
- 95. Election: term of office.

SECTION.

- 96. City Attorney; City Engineer and City Sexton; election: salary; duties: bond of Sexton.

Building
Inspectors.

Duties.

SECTION 93. The Mayor and General Council of the said city, at the meeting when the other officers are elected, or at any subsequent meeting of said Mayor and General Council, shall have full power and authority to elect three freeholders, residents of said city, "Building Inspectors," whose duty it shall be, in connection with the City Engineer, to inspect all buildings and walls located on the various streets, lanes and alleys of said city, when they shall be

requested to do so by the Mayor, and to report the result of said investigation to said Mayor and General Council, with a recommendation as to the best course to be pursued, in reference to said buildings or walls, for the protection of the citizens.

SEC. 94. The said Mayor and General Council shall have full power and authority to execute, in a summary manner, the recommendations of said Building Inspectors, or a majority of them, at the expense of the owner of said building or wall, or the owner of the lot upon which the same may be located, in the discretion of the said Mayor and General Council. Should the said owner, after fifteen days' notice, fail or refuse to remove the obstructions reported by said Building Inspectors, or a majority of them, such expense to be collected by execution, to be issued by the Clerk of Council; and the said Mayor and General Council shall have full power and authority to pass all ordinances that may be necessary to carry this measure into full effect.*

SEC. 95. The said Building Inspectors shall hold their office for the term of two years, except those elected at the first meeting in January, 1875, or at the next, or any subsequent meeting thereafter. The Inspectors so elected shall vacate their office at the first meeting of the Mayor and General Council, in July, 1875, at which meeting the Mayor and General Council shall elect Building Inspectors for the term of two years, after which time all elections to fill said offices shall be held biennially.

SEC. 96. There shall be elected by the Mayor and General Council, at the time prescribed in the 20th section of this Act, for holding elections for city officers, a City Attorney, City Engineer, and City Sexton, who shall each hold his office for the time prescribed by the said 20th section of this Act, unless removed for cause, to be judged of by the Mayor and General Council. They shall each receive a reasonable salary, to be fixed by the Mayor and General

Recommendations to be executed.

Term of office.

City Attorney. City Engineer. City Sexton.

Salary.

* See Section 287 for additional power in executing recommendations of Building inspectors.

Council next preceding their election, which shall not be increased or diminished during their continuance in office.

Duties. Their duties shall be prescribed by ordinance. Before entering on the discharge of their duties, they shall each take an oath, before some officer authorized to administer it, to faithfully perform the duties of their offices. The City

Bond Sexton. Sexton shall enter into bond, with good security, payable to said City of Atlanta, in an amount to be fixed and judged of by the Mayor and General Council, for the faithful performance of the duties of his office.

CHAPTER XVI.

MISCELLANEOUS POWERS AND DUTIES.

SECTION.

- 97. Process to be directed to the Marshal.
- 98. Insolvent executions.
- 99. Witnesses: attendance compelled.
- 100. Fee bill may be established.
- 101. Fire limits.
- 102. Registration.
- 103. Impeachments—General Council shall try. Judgment in case of.

SECTION.

- 104. Officers may justify.
- 105. Sale of personal property.
- 106. Salaries.
- 107. Convicts—authority to farm out.
- 108. Mayor and Council for 1874.
- 109. Vacancies.
- 110. Repealing clause.

Process directed to Marshal.

SECTION 97. All warrants, summonses, precepts, executions, or other processes issued by the Clerk of the City Council of Atlanta, shall be directed to the Marshal of the City of Atlanta.

Insolvent executions.

SEC. 98. The Mayor and General Council of the City of Atlanta shall not be liable to pay any insolvent executions except upon such terms and regulations as they may prescribe.

Witnesses--attendance compelled.

SEC. 99. The Mayor and General Council of said city shall have full power and authority to compel the attendance of parties and witnesses at the Mayor's Courts, and the meetings of said Council, or General Council; and for this purpose said Mayor and General Council shall have full power and authority to take and receive of parties and witnesses such bonds as they shall deem necessary to secure the

attendance of parties and witnesses, and to pass all ordinances necessary to carry this provision into effect, and to forfeit and collect said bonds in the same manner as such bonds are now forfeited in the Superior Courts of this State.*

SEC. 100. The said Mayor and General Council shall have power and authority to establish a fee-bill for the officers of said city, not higher than the fees allowed the county officers, nor lower than those allowed to Justices of the Peace and Constables of the State.

SEC. 101. The said Mayor and General Council shall have power and authority to continue the fire limits, as now established by law, and from time to time, in their discretion, to extend and enlarge the same, within which fire limits, so established, and to be established, it shall not be lawful for any one to erect other than fire-proof buildings, or structures of any kind, other than fire-proof; and should any one erect, or cause to be erected, within such fire limits, so established, any such buildings or other structures, said Mayor and General Council, after giving five days' notice, shall cause the same to be removed, at the expense of the owners of such buildings or other structures, the said expenses to be collected by executions issued by the Clerk of Council; and the said Mayor and General Council shall have power to determine what buildings or other structures are, or are not, fire-proof.

SEC. 102. That the Mayor and General Council of said city shall have power and authority to provide for the registration of voters prior to any municipal election in said city; to make all needful rules and regulations for the same, and require that no person be permitted to vote unless registered as aforesaid.

SEC. 103. The General Council of said city shall have the sole right to try all impeachments. When sitting for that purpose, they shall be under oath or affirmation. When

Fee bill for officers.

Fire limits.

Registration of voters.

General Council shall try Impeachments.

* See Sec. 291; also section 288, for power as to attendance of witnesses and production of papers on examinations.

the Mayor is tried, the Judge of the City Court shall preside, and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment, in case of impeachment, shall not extend further than removal from office and disqualification to hold any office of honor, trust, or profit, under this charter; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, and punishment, according to law.

Officers
may justify
SEC. 104. That any of the officers of said corporation, who may be sued for any act done in his or their official character, may justify under this Charter.

Sale of personal property.
SEC. 105. Whenever any personal property has been levied on in the City of Atlanta, if of character to render its removal to the City Hall of more than ordinary expense or inconvenience, the same may be sold at any place within the corporate limits of said city, at public outcry, within the hours now provided by law, and after having given the notice required by law: *Provided*, the owner thereof gives his consent.

Salaries.
SEC. 106. It shall be the duty of the Mayor and Council now in office in said city, to fix the salaries or compensation of the officers first to be elected for said city under this act.

Convicts—
authority
to farm out
SEC. 107. That the Mayor and General Council are hereby authorized to farm out all persons sentenced to imprisonment for violating the ordinances of said city, in the same manner and upon the same terms as the Ordinaries of this State are authorized to farm out convicts.

Mayor and
Council for
1874.
SEC. 108. That the Mayor and Councilmen, in office in said city, are hereby clothed with all the powers, rights and privileges, during their continuance in office, that by the terms of this Act are conferred on the Mayor and General Council as provided herein. The said Mayor and Council shall, in like manner, be subject to the same limitations and restrictions. They shall have full power and authority to pass all needful ordinances, resolutions and by-laws, for the successful carrying into effect of this Act.

SEC. 109. The said Mayor and General Council shall have full power and authority to fill any vacancy that may occur in any office held under election or appointment by the said Mayor and General Council, for the unexpired term thereof.

Vacancies.

SEC. 110. Repeals conflicting laws.

Repealing
clause.

Approved February 28th, 1874.

PART I.---CONTINUED.

AMENDMENTS ENACTED

BY THE

GENERAL ASSEMBLY OF GEORGIA

Since the Adoption of the New Charter
of 1874.

CHAPTER XVII.

FINANCIAL--PAYMENT OF FLOATING DEBT--SINKING FUND.

SECTION.

111. One-fourth of tax on real estate to pay floating debt.

An Act to amend an Act to establish a new Charter for the City of Atlanta, approved February 28th, 1874.

SECTION 111. *Be it enacted by the General Assembly of the State of Georgia,* That section 33 of the above recited Act be amended by striking out the words "one-half," in the fourth line of said section, and inserting in lieu thereof the words "one-fourth," so as to make the clause in said section in which said words occur read as follows: "And one-fourth of the tax on real estate shall be first set aside for the payment of the floating debt, until all is paid."*

One-fourth tax on real estate to pay floating debt.

Act of February 27th, 1875.

AUTHORITY TO FUND FLOATING DEBT, ETC.

SECTION.

- 112. Title of act.
- 113. May issue bonds for \$385,000.
- 114. Permanent sinking fund.
- 115. Provisions for city; expenses from January 1st, to June 30th, 1885.
- 116. Funds accumulated may be used.

SECTION.

- 117. City Treasurer shall keep account with said fund.
- 118. Fiscal year after 1885.
- 119. Prohibited from borrowing money except to pay interest.
- 120. Repealing clause.

SECTION 112. To amend an Act entitled an Act to establish a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to authorize the said city to issue bonds to be sold, and proceeds used in paying off its present floating debt,* and to provide for the redemption of said bonds; to require the Mayor and General Council of said city, during the year eighteen hundred and ninety-six, and each year thereafter until the whole of the public debt of the city is paid off, to set apart and appropriate for that purpose the sum of fifty thousand dollars; to provide for the accumulation in the treasury of said city of a sufficient fund to pay the interest and current expenses of the city government for six months by setting apart certain sums for that purpose, in lieu of one-fourth of the tax on real

Title of act.

* See Secs. 33 and 115.

estate now set apart to pay the floating debt, and to require the City Treasurer to keep an account with the said fund, to require the revenue of said city, for all sources for the year 1885, and succeeding years, to be used to pay the interest and current expenses of the city for the latter half of the year in which it is collected, and for the first half of the next succeeding year; to prohibit the City of Atlanta, and all its departments, from issuing checks or script, unless the money is in the City Treasury to meet the same; and from borrowing money, or from issuing any obligation of indebtedness after January 1st, 1885, except checks drawn by the Mayor and General Council on the City Treasury, and to fix and regulate the amount of money to be borrowed by said city prior to January 1st, 1885, under existing laws; to provide that this Act shall not affect the provisions of said new Charter, which authorizes the issuance of bonds to meet the principal of maturing and outstanding bonds, and for other purposes in this Act mentioned.

SEC. 113. *The Senate and House of Representatives of the State of Georgia in General Assembly met, do enact,* That the City of Atlanta is hereby authorized to issue bonds with the usual interest coupons attached, to the amount of three hundred and eighty-five thousand dollars, said bonds to be issued and bear date as soon as the same can be prepared, and shall be of such form and denomination, and bear such rate of interest (not exceeding seven per cent.) as the Mayor and General Council of said city shall by ordinance provide, and shall be payable as follows: twenty-five thousand dollars in amount on the 1st day of January, 1886, and an equal amount on the 1st day of January of each of the immediately succeeding four years; forty thousand dollars January 1st, 1891, and an equal amount on the 1st of January of each of the immediately succeeding three years; fifty thousand dollars on the 1st of January, 1895, and the same amount on the 1st of January, 1896.

The city shall not sell said bonds, or any portion of them, below par. The Mayor and General Council of said city

Authorizing the issuance of bonds to the amount of \$385,000.

When due.

Shall not be sold below par.

shall provide each year by taxation a sufficient amount to pay the principal and interest of said bonds as the same shall mature. Said bonds shall be non-taxable by the city. The proceeds arising from the sale of said bonds shall be used in paying off the present floating debt of said city, and for no other purpose whatever.

Taxation to pay bonds.

Non-taxable.

Proceeds, how used.

SEC. 114. *Be it further enacted*, That during the year eighteen hundred and ninety-six (1896), and each succeeding year, the Mayor and General Council of said city shall set apart and appropriate, from the revenue of the city for each year fifty thousand dollars (\$50,000), to be used solely and exclusively for the purchase and retirement of any bonds of the city that may be outstanding, until the whole of the public debt of the city is paid off.

Permanent sinking fund.

SEC. 115. *Be it further enacted*, That, in order that said city may accumulate in its treasury a sufficient fund to pay the interest and current expenses of the city government for six months, and thereby remove the difficulty under which the authorities of said city labor in being compelled to borrow money during the first half of each year, the following authority is hereby given: The Mayor and General Council of said city, in lieu of one-fourth of the tax on real estate now set apart to pay the floating debt, shall, from the receipts from tax on real estate for the year 1879, set apart in cash and appropriate twenty thousand dollars for this purpose; and said body, for the years 1880, 1881, 1882, 1883 and 1884, shall, in each of said years, set apart in cash and appropriate from the receipts from the same source, twenty-five thousand dollars for this purpose, which several amounts, aggregating one hundred and forty-five thousand dollars, shall be used to pay the semi-annual interest due January 1st, 1885, and the current expenses of the city government from January 1st to June 30th, 1885, inclusive.*

Provision for paying expenses for six months, from Jan. 1 to June 30, 1879.

SEC. 116. *Be it further enacted*, That the amounts appropriated, as provided in the preceding section, for each year, shall be carried forward, as it accumulates, intact, and shall

Funds, as accumulated, may be used.

*Extended. See Secs. 121 and 124.

be held and reserved for the purpose specified: *Provided*, that the city authorities, as said fund accumulates, may use the amount accumulated during the previous year, or years, to pay the interest and current expenses for the early part of any year prior to the year 1885, the same to be replaced in the funds in cash from taxes collected for said year, together with the amount required by this Act to be set apart for such year before the year expires.

SEC. 117. *Be it further enacted*, That the City Treasurer shall open on his books and keep an account with the fund provided for in the two preceding sections, until the same is accumulated and expended in the year 1885, as therein required.

SEC. 118. *Be it further enacted*, That the revenue of said city from all sources for the year 1885, and succeeding years, shall be used to pay the interest and current expenses of the city for the latter half, to-wit: from the 1st day of July to the 31st day of December, inclusive, of the year in which it is collected, and for the first half, to-wit: from the 1st day of January to the 30th day of June, inclusive, of the next succeeding year. And in order to carry this provision into effect, the Mayor and General Council for 1885, and for each succeeding year, are required to have; in cash in the City Treasury, when the year expires, and to turn over in cash to their immediate successors one-half of the total receipts of the city for the year.*

SEC. 119. *Be it further enacted*, That the City of Atlanta (including all its departments) is hereby prohibited from issuing checks of script unless the money is in the City Treasury to meet the same, and said city, (including all its departments) is prohibited from borrowing money or issuing any obligations of indebtedness after January 1st, 1885, except checks drawn by the authority of the Mayor and General Council on the City Treasury.* *Provided*, that prior to January 1st, 1885, the total amount of borrowed money to pay interest and expense during the early part of the

Treasurer shall keep an account with said fund.

Fiscal year after 1884.

Prohibiting from borrowing money except to pay interest.

Proviso.

* See Secs. 121, 122, 124, 125.

year, under existing law, shall not, for any year before said date, exceed the following amounts, to-wit: For the year 1880, one hundred and twenty-five thousand dollars (\$125,000); for the year 1881, one hundred thousand dollars (\$100,000); for the year 1882, seventy-five thousand dollars (\$75,000); for the year 1883, fifty thousand dollars (\$50,000); for the year 1884, twenty-five thousand dollars (\$25,000); which amounts, together with the amounts to be carried forward to each year, as provided in sections 3 and 4 of this Act, is estimated to be sufficient to pay the interest and expenses of the city for the early part of said years, respectively: *Provided, further*, that this Act shall not affect the provisions of the Charter of said city which ^{Proviso.} authorizes the issuance of bonds to meet the principal of maturing and outstanding bonds.

SEC. 120. *Be it further enacted*, That all laws and parts ^{Repealing clause.} of laws in conflict with this Act be, and the same are hereby repealed.

Approved August 22, 1879.

CHAPTER XVIII.

SINKING FUND—CHANGES, AS TO.

SECTION.	SECTION.
121. Amount of sinking fund.	124. Sinking fund: amount fixed.
122. Borrowing money; repayment.	125. Borrowing money and repayment.

SECTION 121. That from and after the passage of this Act, section six of the above-recited Act, approved August 22nd, 1879, be and the same is hereby repealed, and that, in lieu of said section, it is enacted that the Mayor and General Council of said city shall, from the receipts from tax on real estate for the years 1885, 1886, 1887 and 1888, set apart, in cash in each of said years, and turn over to their successors in office, the sum of twenty-five thousand dollars, which said several sums will, at the end of said time, together with the fund heretofore created by said Act, amounting, on the first of January, 1885, to one hundred ^{Time extended.} ^{Repealing clause.}

Amount to be turned over. Use of fund.

and forty-five thousand dollars, aggregate the entire sum of two hundred and forty-five thousand dollars, which said sum of two hundred and forty-five thousand dollars shall be turned over, in cash, to each succeeding Mayor and General Council, continuously, for the purpose of paying the semi-annual interest due January 1st of each year, and the current expenses of the City Government from January 1st to June 1st of each year.*

May borrow money.

SEC. 122. That, from and after the passage of this Act, the Mayor and General Council for the City of Atlanta for the year 1885 shall have power and authority to borrow the sum of fifty thousand dollars, and the Mayor and General Council for the year 1886 have the power and authority to borrow the sum of twenty-five thousand dollars, each of said sums to be repaid out of the income of said city for each of said years before the expiration of the year in which the same is borrowed, and that said City of Atlanta, including all its departments, shall be prohibited from borrowing any money after said year 1886.†

To be repaid out of income.

Prohibited from borrowing.

SEC. 123. That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.

Approved December 18th, 1884.

SINKING FUND—USE OF—BORROWING MONEY—REPAYMENT.

Sinking fund fixed at \$175,000.

SECTION 124. *The General Assembly of the State of Georgia enacts as follows:* That from and after the passage of this Act, the surplus or sinking fund of the City of Atlanta, provided for by the Act, approved December 18th, 1884, and the several Acts of which the same is amendatory, be, and the same is hereby permanently fixed at one hundred and seventy-five thousand dollars, instead of two hundred and forty-five thousand dollars, as is provided by the said

*See Sections 115 to 117; also Section 124.

†See Section 34, 119 and 125.

Act of December 18th, 1884, and that the said amount of one hundred and seventy-five thousand dollars shall be turned over intact and in cash, by the Mayor and General Council of each year, to the succeeding Mayor and General Council of the next year, continuously, for the purposes specified in said last mentioned Act; *Provided*, nothing herein shall be deemed to repeal the power heretofore conferred on said Mayor and General Council to apply part of said surplus fund temporarily for water-works, replacing the same in the sums at the time and in the manner required by the laws now of force relating to the same.*

Must be turned over each year to new Mayor or Council.

May be used temporarily.

SEC. 125. *Be it further enacted by the authority aforesaid*, That from and after the passage of this Act, the Mayor and General Council of Atlanta shall have power and authority to borrow money by making temporary loans of not exceeding seventy-five thousand dollars in any one year, the sum or sums so borrowed to be repaid out of the income of the city for the year in which the loan or loans were made, and before the expiration of the year in which the same was borrowed.†

Borrowing money on temporary loans.

How to be repaid.

SEC. 126. *Be it further enacted by the authority aforesaid*, That all laws and parts of laws in conflict herewith be, and the same are hereby repealed.

Approved July 29th, 1887.

CHAPTER XIX.

AUTHORITY TO ISSUE BONDS; TO REGISTER BONDS, AND TO REFUND THE DEBT OF THE CITY.

SECTION.

- 127. \$55,625 old Capitol Bonds authorized.
- 130. Issue authorized to meet maturing bonds.
- 131. Authority to refund the city debt.
- 132. Interest rate.

SECTION.

- 133. Use of bonds or proceeds.
- 135. Registration of bonds provided for.
- 136. Transfer of registered bonds.
- 137. Guardians, *et al.*, may invest in bonds of the city.

SECTION 127. That the City of Atlanta is hereby authorized to issue bonds, with the usual interest coupons attached,

May issue bonds.

*See Secs. 115 to 117; also Sec. 121.

†See Secs. 34, 119 and 122.

to the amount of fifty-five thousand six hundred and twenty-five dollars, said bonds to issue and bear date as soon as the same can be performed, and shall be of such denomination and form, and bear such rate of interest (not exceeding six per cent.) as the Mayor and General Council of said city may by ordinance provide, and shall be payable thirty years from date. The said city shall not sell said bonds or any portion of them below par. They shall be non-taxable by city, and the proceeds arising from their sale shall be used in paying the amount due by the City of Atlanta to the State of Georgia, being the amount agreed upon as the valuation of the old capitol building at Milledgeville, or for replacing other funds used for such purposes, in case it should be necessary to make such payment to the State before said bonds can be sold, and for no other purpose whatever.

Due in 30
years.

Proceeds—
how used.

Provision
for pay-
ment of.

SEC. 128. The Mayor and General Council shall provide by taxation sufficient amount to pay the principal and interest of said bonds as they mature.

SEC. 129. That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

* Approved September 26th, 1883.

SEC. 130. *The General Assembly of the State of Georgia enact*, That the Mayor and General Council, with the concurrence of the Aldermanic Board of the City of Atlanta be, and they are hereby authorized to cause the issue of new coupon bonds of said city to meet and retire the securities of said city known as the six per cent. funding bonds, as the several installments of the same shall hereafter, from time to time, mature and fall due, beginning with the next installment, amounting to twenty-five thousand dollars, which falls due on the first day of January, 1887. Said new coupon bonds to be in such form, to run for such length of time, and to bear such rate of interest (not exceeding four and one-half ($4\frac{1}{2}$) per centum per annum) as the said City Government may direct, and the proceeds to be applied

Authoriz-
ing issue of
Bonds.

only for the purpose of paying off and retiring said series of six per cent. funding bonds above described.

Be it further enacted, etc., That all laws and parts of laws in conflict herewith are repealed.

Approved December 24th, 1886.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to provide for and authorize the refunding of the present bonded debt of said city as by this Act provided.

SECTION 131. *Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same,* That an Act establishing a new charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, be, and the same are hereby amended so as to hereby provide and authorize the refunding of the present bonded debt of said City of Atlanta as hereinafter provided.

SEC. 132. *Be it further enacted,* That the Mayor and General Council of said city are hereby authorized and empowered to cause the issue of new coupon bonds of said city to meet and retire all bonds of said city now outstanding as the several installments thereof shall hereafter, from time to time, mature and fall due; said new coupon bonds to be in such form, to run for such length of time, and to bear such rate of interest, not exceeding four and one-half per centum per annum, as the said Mayor and General Council may direct, and the proceeds to be applied only for the purpose of paying off and retiring any bonds of said city now outstanding as the same mature.

SEC. 133. *Be it further enacted,* That whereas many of the outstanding bonds of said city, which mature, some in 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1902, 1904, 1911 and 1914, bear interest respectively, some at six (6) per cent. per annum, some at seven (7) per cent. per annum and some at eight (8) per cent. per annum,

therefore, *Be it further enacted*, That the Mayor and General Council of said City of Atlanta are hereby authorized and empowered to issue new coupon bonds of said city to run for such length of time, to be of such denominations, and to bear such rate of interest not to exceed four and a half ($4\frac{1}{2}$) per centum per annum as said Mayor and General Council may direct. The bonds hereby authorized may be issued from time to time as outstanding unmatured bonds of said city, bearing a higher rate of interest, can be obtained by purchase or exchange for said new issue of bonds, on terms satisfactory to said Mayor and General Council. The bonds authorized to be issued under this section shall be issued only as outstanding bonds of said city as above, of the same amount of principal, are retired by purchase with the proceeds of said new bonds, or by exchange for new bonds as aforesaid, and said new bonds, or the proceeds thereof, shall be used for the retiring, as aforesaid, of bonds of said city bearing a higher rate of interest than the new bonds authorized by this section; and in no event shall the amount of bonds issued for this purpose at any time exceed the amount of outstanding higher interest rate bonds retired by purchase with the proceeds or by exchange for such new bonds.

SEC. 134. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Approved, November 13, 1889.

AUTHORITY TO REGISTER BONDS.

SECTION 135. *Be it further enacted*, That the Mayor and General Council of said City of Atlanta are hereby authorized and empowered to provide for and regulate the registration of bonds of said city with the Treasurer of said city, in as full and ample manner as is provided by the laws of this State for the registration of bonds of this State. Said Mayor and General Council shall have the power to pre-

scribe the manner in which bonds of said city which have been registered may be transferred or negotiated.

SEC. 136. *Be it further enacted*, That said Mayor and General Council may provide for the issuing of registered bonds of said city, in lieu of any bonds authorized to be issued in pursuance of this Act, and in lieu of any coupon bonds of said city heretofore, or that may be hereafter, issued by said city. Said registered bonds shall be similar in all respects to the bonds authorized to be issued by said city under the Acts respectively authorizing the issue of the same, EXCEPT, that registered bonds under this section of this Act shall not be coupon bonds, and the principal and the interest shall be payable only at the treasury of said city. Said bonds registered under and by virtue of this section shall be transferable on the books of the Treasurer of said city, in the manner in substance provided for the transfer of the bonds of the State of Georgia, authorized to be registered by the third section of an Act approved September 5th, 1887, and which said Act provided for the issue, registration, etc., of the bonds of the State of Georgia.

SEC. 137. *Be it further enacted*, That any guardian or trustee, in his discretion, may invest any funds of his ward or *cestui que* trust in his hands in bonds of said City of Atlanta, in the same manner and to the same extent, as such funds may be invested in stocks, bonds and other securities of the State of Georgia.

Act of September 4th, 1889.

CHAPTER XX.

CITY COMPTROLLER; OFFICE OF CREATED; MODIFICATION.
AS TO FINANCIAL AND TAX SYSTEM.

SECTION.

138. Appointment of Comptroller; confirmation by General Council; estimates and apportionment of income, how and when made.

SECTION.

139. Duty as to warrants, change of system in tax department; Tax Collector separate officer; duties of officers; assessments and returns for tax, when made; estimate of income, etc.; penalty for failure to return for tax; power to relieve against.

CITY COMPTROLLER.

SECTION 138. *Be it further enacted*, That the office of City Comptroller of said city is hereby created. The City Comptroller shall be appointed by the Mayor, subject to confirmation by the General Council, by a two-thirds vote of the members present at a regular meeting thereof. The City Comptroller, now serving under appointment and confirmation, as by ordinance of said city provided, shall serve until the first regular meeting of the General Council in April, 1891, and until his successor is appointed, confirmed and qualified, unless sooner removed by the Mayor for cause. All subsequent appointments, except to fill vacancies, shall be for a term of two years, with the same right of removal by the Mayor for cause. The City Comptroller shall receive for the term he is now serving, the salary heretofore prescribed by ordinance, and for succeeding terms the salary that may be prescribed by the Mayor and General Council for the year preceding his appointment, which shall not be changed during his term of office. He shall give bond in such sum as may be prescribed by ordinance, with security, subject to approval by the Mayor, conditioned for the faithful performance of his duties. The duties of said City Comptroller shall be such as are now, or from time to time may be prescribed by ordinance of said city. Said City of Atlanta shall have power to devolve upon the City

Comptroller any duty or authority now and heretofore devolving upon any other officer of said city by charter or law, whenever the Mayor and General Council may deem it necessary or proper. To enable the City Comptroller to keep a general set of books for said city, and to keep regular and correct accounts, showing the financial transactions of said city, separately and under proper heads, with all persons and city officers who may have money transactions with said city, and to enable a complete system of checks and balances to be provided for said city. Said city may by ordinance provide for the apportionment of the revenue or income of the city each year, to such departments or heads, and to such number of departments or heads as may be deemed requisite, instead of to departments or heads heretofore provided by charter of said city in section 35 thereof and elsewhere therein; and said city may by ordinance change the name, number and order of departments or heads for appropriations heretofore provided; but all the other financial provisions of the charter and amendments thereto of said city are continued of force, except as changed by this Act.

SEC. 139. Whenever a warrant or claim shall be presented to the City Comptroller he shall have power to require evidence that the amount claimed is justly due, and for that purpose may summons before him any officer, agent or employe of any department of said city, or any other person, and examine him upon oath or affirmation, relative to such warrant or claim, and may require the production of books and papers to be used as evidence before him.

The office of Tax Receiver and Collector of said city is hereby changed to that of Tax Collector, and the offices of Assistant Tax Receivers and Assessors are hereby changed to Tax Assessors and Receivers. The Tax Assessors and Receivers shall assess real and personal property, and receive returns for taxes, and perform such other duties as prescribed by ordinance. The Mayor and General Council of said city shall designate one of the Tax Assessors and Receivers as

Chief Assessor, whose duty it shall be to direct the affairs of, and who shall be responsible for the conduct of the work of the office of said Assessors and Receivers. The manner of such designation, and the regulation of the work and office of said Assessors and Receivers, shall be such as may be prescribed by ordinance or resolution of the Mayor and General Council. The Chief Assessor shall receive such salary, if any, in addition to that provided for the Assessors and Receivers, as may be deemed proper, which shall be fixed before designation, and shall not be changed during the term of such designation.

The office of Tax Collector of said city shall be separate and distinct from that of Tax Assessors and Receivers. The Tax Collector shall collect the tax of said city under such rules and regulations as may be prescribed by ordinance, and shall perform such other duties, in connection therewith or incident thereto, as may be prescribed by ordinance, not in conflict with this Act and the charter of said city, of which this is amendatory. To carry out the purposes of this Act, said city may by ordinance, require of any officer of said city, the performance of any duty deemed necessary or proper thereto. Hereafter all assessments and all returns of property of every kind, and returns for street and sanitary and any and all other tax for taxation by said city shall be made by the 20th day of May of each year, instead of by the first day of May, as heretofore provided by section 35 of the charter of said city. The estimate of the income of said city, and the apportionment thereof, by said section 35 of said charter, required to be made by the 10th day of May of each year, shall hereafter be made at the first meeting of the General Council in June of each year*. In all cases of failure to return property, real, personal or otherwise, for taxation by the 20th of May of each year, a penalty of ten per cent. shall be added to the value of the property of such defaulting

* See Section 35.

† See Sections 174 to 192 relating to tax officers, their duties, etc.

owners, for taxation, ascertained by the return of the previous year or otherwise; and by failure to return by the 20th day of May of each year, for street, railway or other capitation-tax, the penalty shall be double tax. But the Mayor and General Council shall have power to relieve against the penalty for failure to return within the time provided, where the failure and omission are due to unavoidable or sufficient cause. Notice of the time of closing the books for receiving returns shall be published in any one or more of the daily papers of said city, for at least four insertions, between the 1st and 20th of May of each year, and oftener if deemed necessary by the Mayor and General Council.

Act of September 4th, 1889.

CHAPTER XXI.

PURCHASE OF LOT FOR U. S. BUILDING RATIFIED; ALSO PURCHASE OF MORTGAGE ON OLD CAPITOL.

SECTION.

140. Purchase of mortgage of N. W. M. Ins. Co. on Old Capitol on Marietta street ratified.

SECTION.

142. Purchase of lot for U. S. Building ratified.
143. Authority given to make the deed of conveyance.

PURCHASE OF MORTGAGE ON OLD CAPITOL AT ATLANTA RATIFIED.

SECTION 140. *Be it enacted by the Senate and House of Representatives of the State of Georgia, and it is hereby enacted by the authority of the same,* That the action of the Mayor and Council of the City of Atlanta, in purchasing and taking a transfer to itself, of a mortgage given by E. N. Kimball to the Northwestern Mutual Insurance Company of Milwaukee, Wisconsin, for \$60,000 (with accrued interest, commissions and costs), upon the lot and building at present occupied as a State Capitol, in the City of Atlanta,

Mortgage
to N. W.
Ins. Co.—
purchase of
ratified.

be, and the same is hereby ratified and confirmed, and declared of valid legal force and effect.

SEC. 141. Repeals conflicting laws.

Approved February 25th, 1875.

SEC. 142. *Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same,* That the action of the City of Atlanta, through its Mayor and Council for the year 1874, in purchasing a lot on Marietta street, in said city, for the sum of \$50,000, for the purpose of conveying the same to the United States of America free of cost, for the erection of public buildings, be, and the same is hereby ratified and confirmed, and declared of valid force and legal effect.

SEC. 143. *Be it further enacted,* That the City of Atlanta is hereby authorized to make a deed of conveyance to the United States of America, for the purpose indicated.

SEC. 144. Repeals conflicting laws.

Approved February 27th, 1875.

CHAPTER XXII.

MAY BE TRUSTEE FOR CEMETERY LOTS; ALMS HOUSE PLACED IN CONTROL OF FULTON COUNTY; SANITARY APPROPRIATION TO BE MADE; EXPENDITURE OF RECEIPTS; RENT OF MARKET HOUSE.

SECTION.

- 145. May hold property and money in trust for care, etc., of cemetery lots.
- 146. Alms house placed in control of Fulton county.
- 147. City relieved of.

SECTION.

- 148. Superintendent.
- 149. Appropriation to sanitary department.
- 150. Expenditure of entire cash receipts.
- 151. May rent market house.

An Act to authorize and empower the Towns and Cities of this State to receive and hold in trust such property or money as may be conveyed to them to be used in the preservation and care of Cemeteries or lots of private owners therein.

SECTION 145. *Be it enacted,* That from and after the passage of this Act, any person or persons may convey to

the Mayor and City Council of any town or city in this State, any money or property to be held by such Mayor and Council in trust, the corpus or increase thereof to be expended as directed by such conveyance, in the improvement or preservation and care of such Cemetery, or of the burial lots of such owner therein, and such Mayor and Council shall receive and hold such property and execute such trusts, according to the terms thereof, as other trusts are executed under the laws of this State, and shall by its Clerk make annual returns to the Ordinary, and shall be entitled to such commissions as are paid to other trustees, but shall not be required to give bond.

Be it further enacted, That all laws in conflict with this Act be, and the same are hereby repealed.

Approved November 12, 1889.

CONTROL OF ALMS HOUSE.

SECTION 146. From and after the passage of this Act, and its approval by the Governor, it shall be the duty of the Ordinary of Fulton county to take entire control and management, and pay the entire expense of the maintenance of the alms house in said county, and he is fully and exclusively authorized to admit to, and discharge from, said institution, as the justice and humanity of each application may demand.

SEC. 147. *Be it further enacted by the authority aforesaid*, That immediately upon the passage and approval of this Act, the Mayor and General Council of the City of Atlanta shall turn over to the Ordinary full and entire control of said institution, and shall be at no further expense in reference thereto. City relieved of.

SEC. 148. *Be it further enacted by the authority aforesaid*, That the said Ordinary shall have authority to appoint a Superintendent for said Alms house, and such other assist- Superintendent.

ants as the proper management of said institution, and the comfort and health of its inmates, may require.

Repealing
clause.

Repeals conflicting laws.

Approved February 26th, 1877.

APPROPRIATION TO SANITARY DEPARTMENT TO BE MADE.

Sanitary
assessment.

SECTION 149. The Mayor and General Council of said city, at the time the annual appropriations are made in May of each year, shall set apart and appropriate such amount as the probable income of the city will authorize for sanitary purposes, the same to be expended by the Board of Health of said city for such purposes.*

May ex-
pend entire
receipts.

SEC. 150. Said Mayor and General Council are hereby authorized to expend and use any excess in the receipts of the city for any year over the amount appropriated for such year: *Provided*, that such expenditure shall in no case exceed the actual cash receipts for such year.*

Act of September 3d, 1881.

May rent a
house for
market.

Rent limit-
ed.

May pur-
chase
house.

SEC. 151. That the Mayor and General Council be and are hereby authorized to rent or lease from any party who may build a suitable market-house or houses in the City of Atlanta, for a term of not exceeding fifteen years, at a rate of rental not to exceed eight per cent. on the investment, and are hereby authorized to make such ordinances as are necessary and proper to protect the city in said lease; and, *provided, further*, that said City of Atlanta be and is hereby authorized to purchase said market or markets at any time during said fifteen years at original cost of said market property.*

Act of September 18th, 1883.

*Act of Sept. 3d, 1881.

*This power to purchase is subject to the limitations of the Constitution of Georgia of 1877, against incurring indebtedness except as by said Constitution and law passed in pursuance thereof, provided.

CHAPTER XXIII.

TAXATION, AND TAX SYSTEM AND TAX OFFICERS; OPENING AND CLOSING TAX BOOKS; BUSINESS AND SANITARY TAX; TAX ON RAILROADS; EXECUTIONS BEAR INTEREST WHEN; MUNICIPAL TAX SALES; BUSINESS CLASSIFIED FOR TAXATION.

SECTION.

152. Title of act.
153. Business tax may be \$200.00; proviso as to those paying *advalorem* on merchandise, etc.
154. Business may be classified for taxation.
155. Time for opening and closing tax books.
156. Business tax may be \$50.00 in cases where formerly it was \$25.00.
157. Assessment of lots for sanitary purposes authorized.
158. Title of Act.
159. Repeals exemption of sale of books, etc.
160. Railroad property subject to municipal tax.
161. Returns to be made.
162. Rolling stock and personal property distributed for taxation.
163. Laws made applicable.
165. Executions for paving, sewers, etc., forced.
166. Transfer of *fl. fas.*

SECTION.

167. Executions for taxes, etc., to bear interest.
168. Amended and proviso added.
169. Municipal tax sales—redemption.
170. City may purchase and be put in possession.
171. How resold by city.
172. Ordinances for carrying out.
174. Assessors for taxation abolished.
175. Assistant Tax Receivers and Assessors created.
176. Term, compensation, oath and bond.
177. Whole time to be given to service of city.
178. Duties of Tax Receiver and Collector—oath and bond.
179. Additional Tax Receiver and Assessor provided for.
180. Duties, compensation, oath and bond.
182. No distinction of rank or title as between Tax Receivers and Assessors.

BUSINESS TAX—OPENING AND CLOSING TAX BOOKS.

SECTION 152. An Act to be entitled “An Act to amend an Act entitled an Act to establish a new Charter for the City of Atlanta,” approved February 28th, 1874, and the several Acts amendatory thereof, in so far as to authorize the Mayor and General Council of said city to levy and collect a business tax, as therein provided; to make a just and proper classification of business for taxation; fixing the time for opening and closing the tax books of said city, and for other purposes therein mentioned.

SEC. 153. *The General Assembly of Georgia do enact,* ^{Business tax may be} That section twenty-six of an Act, entitled an Act to establish a new Charter for the City of Atlanta, approved ^{\$200.}

February 28th, 1874, be amended by striking out of said section the words "twenty-five," and inserting in lieu thereof "two hundred," so that a registration tax, such as may be required by said section, may be "two hundred dollars" instead of "twenty-five dollars."*

Proviso.

But no person, firm or corporation that may be required by city ordinance to pay tax *ad valorem* on merchandise or materials shall be required to pay more than twenty-five dollars specific business tax annually. The provisions of this Act in no wise to interfere with, or repeal sections 27, 28, 29, 30 and 31, of said Act entitled an Act to establish a new charter for the City of Atlanta, approved February 28th, 1874, which said named sections refer to and authorize said city to levy and collect tax on the retail of ardent spirits, theatrical companies, or performances, or other exhibitions, billiard tables, ten-pin alleys, nine-pin alleys, or alleys of any kind, etc., brokerage business, pawn brokers, and itinerant traders.

Shall not affect certain special tax.

May pass ordinances to carry into effect.

SEC. 154. Said Mayor and General Council are hereby given authority to pass such ordinances as may be necessary or proper to carry the foregoing section into effect; also, to classify business, and arrange the various business, trades and professions, carried on in said city, into such classes of subjects for taxation as may be just and proper; † *Provided*, that nothing herein contained shall be construed to authorize the levy of a tax upon any profession not taxable under the general tax act.

Proviso.

Time for opening and closing books.

SEC. 155. The Tax Receiver and Collector of said city shall be required to open the books for the collection of tax on or before the first day of June of each year, and to close said books on the 20th day of September of each year.

SEC. 156. *Be it further enacted*, That section 26 of the Charter of said city and an Act amending said charter and section, approved September 3d, 1879, be and the same are hereby amended, so as to provide that a registration or

* See Secs. 26 and 156.

† Keely vs. Atlanta, Supreme Court, Ga., Act of Sept. 3d, 1879.

business tax, such as may be required under said charter and amendment, may be as much as fifty dollars on persons, firms or corporations that may be required by ordinance to pay tax *ad valorem* on merchandise or materials; but no person, firm or corporation, required to pay tax *ad valorem* on merchandise or material, shall be required to pay more than fifty dollars annually. The provisions of this Act in no wise to interfere or repeal sections 27, 28, 29, 30 and 31 of an Act entitled an Act to establish a new charter for the City of Atlanta, approved February 28th, 1874; which said named sections refer to and authorize said city to levy and to collect tax on the retail of ardent spirits, theatrical companies or performances or other exhibitions, billiard tables, ten-pin alleys, nine-pin alleys or alleys of any kind, etc., brokerage business, pawn-brokers and itinerant traders. Nor is anything in this Act to interfere with or repeal any law authorizing tax or license charge for the sale of lager beer at retail, or other business, for which the authority to tax is separately or specially provided by law. Nor is anything herein to interfere with or repeal the authority existing by the Act of September 3d, 1879, above referred to, to tax business as by said Act provided, as much as two hundred (\$200.00) dollars per annum, in cases where merchandise or materials are not taxed *ad valorem*.*

Act of September 4th, 1889.

SANITARY TAX.

SECTION 157. The Mayor and General Council of said city are hereby authorized to make an assessment of the various lots of land and lot owners in said city for sanitary ^{Sanitary} ~~assesment~~ ^{assesments} purposes, not to exceed three dollars per annum on each lot so assessed, and said Mayor and General Council are hereby authorized and empowered to collect the same by execution against the lot so assessed and the owner thereof; the amount so assessed shall be a lien on the lot from the

*See Secs. 26 and 153.

date of assessment. The execution shall be issued and enforced in the same manner that tax executions are issued and enforced in said city. The amount so collected shall be used for sanitary purposes only. Said Mayor and General Council shall have power and authority to prescribe what shall constitute a lot for sanitary purposes and assessment, provided no lot shall be less than twenty-five feet front: *Provided*, that this assessment provided in this section shall not be made on vacant lots, and resident lots shall not be sub-divided for assessment.

Act of September 3d, 1881.

TAX ON SALE OF BOOKS, MAPS AND CHARTS.

SECTION 158. An Act to amend an Act entitled an Act to establish a new Charter for the City of Atlanta, approved February 28th, 1874, so as to strike from section thirty-one (31) of said Act so much thereof as authorizes the sale of books, maps, charts and mathematical instruments free from tax in said city.

SEC. 159. *The General Assembly of the State of Georgia do enact*, That so much of an Act of the General Assembly of this State, entitled an Act to establish a new Charter for the City of Atlanta, approved February 28th, 1874, as authorizes the sale of books, maps, charts and mathematical instruments in said city free from tax, is hereby repealed.

AN ACT TO MAKE RAILROAD COMPANIES SUBJECT TO
MUNICIPAL TAXATION.

SECTION 160. *Be it enacted by the General Assembly of the State of Georgia*, That all the property, both real and personal, belonging to railroad companies in this State, which is within the taxable limits of any municipal corporation, shall be and the same is hereby made subject to taxation by the said municipality as fully and as completely as is the property of other corporations within the said tax-

able limits. And it is hereby made the duty of the municipal authorities to cause the said property within the said taxable limits belonging to a railroad company, to pay its proper and just *pro rata* of the said municipal taxes.

SEC. 161. *Be it further enacted by the authority aforesaid,* That in addition to the facts required to be shown by the Act of the General Assembly, approved October 16, 1889, entitled "An Act to provide a system of taxation of railroad property in each of the counties of this State, through which said railroad run, and to provide a mode of assessing and collecting the same, and for other purposes, every railroad company in this State shall at the time of making the return provided for in said Act, also show the value of the company's property in each incorporate city or town through which it runs.

SEC. 162. *Be it further enacted by the authority aforesaid,* That the rolling stock and other personal property of said railroad companies shall be distributed to said municipalities, in the same basis that rolling stock and other personal property are distributed to the counties under the provisions of said Act of October 16th, 1889; that is, as the value of the whole property, real and personal, of the said company is to the value of the property located in the particular municipality, such shall be the amount of rolling stock and other personal property to be distributed for taxing purposes to each municipality.

SEC. 163. *Be it further enacted by the authority aforesaid,* That all other provisions of said Act approved October 16th, 1889, be and the same are hereby made applicable to the assessment and collection of taxes of railroads by municipalities upon the property of such railroads located in such municipalities, and upon the rolling stock and other personal property distributed under section 3 (three) of this Act.

SEC. 164. *Be it further enacted by the authority aforesaid,* That all laws in conflict with this Act be, and the same are hereby repealed.

Approved December 24th, 1890.

COLLECTION OF TAXES AND ASSESSMENTS.

May issue
executions.

Against
whom.

Levied,
how.

Advertise-
ment and
sale.

SECTION 165. *The Senate and House of Representatives of the State of Georgia do enact,* That any municipal corporation in this State shall have full power and authority to enforce the collection of any amount due or to become due to it for paving streets or lanes, or for laying sewers and drains, or for cleaning, repairing privy vaults in such city by execution to be issued by the Treasurer against the person or persons or corporation or corporations by whom any such debts may be due or may become due, which executions may be levied by the Marshal of such city on the real estate of the owners against whom such executions shall issue, and after advertisement and other proceedings, as in cases of sales for city taxes, the same may be sold at public outcry in manner pointed out in Act of the General Assembly, approved February 27, 1877, entitled "An Act to provide for the manner of tax sales by municipal corporations in this State, and for other purposes," and all sales made by such city under execution shall be made subject to the regulations of the said Act as to purchase by said corporation and redemption by owner after sale.*

Approved October 19th, 1885.

SEC. 166. *Be it further enacted,* That the Marshal or collecting officer of said city, as the case may be, shall be authorized to transfer and assign any *fi. fa.* or *fi. fas.* issued for street, sewer or other assessments, in the same manner upon the same terms, and to the same effect, and vesting the purchaser or transferee with the same rights as in cases of sales or transfer of tax *fi. fas.* as now allowed by law, and that at

* See Sections 157 and 212 to 219 and 246.

all sales of property hereafter made, under execution made in behalf of the city for the collection of street, sewer and other assessments, the owner or owners, as the case may be, shall be authorized to redeem the same within the same time, on compliance with the same terms, and payment of same premiums, interest and cost as in cases of redemption of property where sold under tax *fi. fa.* or *fi. fas.* as now is, or from time to time, may be provided by law.

Be it further enacted, That the Mayor and General Council of said city, shall have power to exercise reasonable supervision and police control over all cemeteries contiguous to the city, and used by the citizens for interment, whether located within the city limits or not.

Supervisor
over con-
tiguous
cemeteries.

INTEREST ON EXECUTIONS, WHEN.

An Act to provide that all executions for taxes due the State, or any county thereof, or any municipal corporation therein, whether issued on assessments for permanent improvement of streets or sewers of said municipal corporations or otherwise, shall bear interest at the legal rate from the time fixed by law for issuing the same, and for other purposes.

SECTION 167. *Be it enacted by the General Assembly of Georgia,* That all executions issued for taxes due the State or any county thereof, or any municipal corporation therein, whether issued on assessments for permanent improvements of streets or sewers of said municipal corporations, or otherwise, shall bear interest at the rate of seven (7) per cent. per annum, from the time fixed by law for issuing the same; provided, that this Act shall not apply to taxes or tax *fi. fas.* issued by any municipal corporation imposing penalties for failure to pay taxes.

Act of November 11th, 1889.

AMENDING LAW AS TO INTEREST ON EXECUTIONS.

An Act to amend an Act to provide that all executions for taxes due the State, or any county thereof, or any municipal corporation therein, whether issued on assessments for permanent improvement of streets or sewers of said municipal corporations or otherwise, shall bear interest at the legal rate from the time fixed by law for issuing the same, and for other purposes. Approved November 11, 1889.

SECTION 168. *Be it enacted by the General Assembly of Georgia,* That the Act approved November 11, 1889, providing that "all executions issued for taxes due the State or any county thereof, or any municipal corporation therein, whether issued on assessments for permanent improvements of streets or sewers of said municipal corporations, or otherwise, shall bear interest at the rate of seven (7) per cent. per annum, from the time fixed by law for issuing the same; *Provided,* That this Act shall not apply to taxes or tax *fi. fas.* issued by any municipal corporation imposing penalties for failure to pay taxes," be and the same is hereby amended, so as to hereby provide, That said Act shall not apply to any municipal corporation on any *fi. fas.* due to it for taxes or assessments, having at the date of the approval of said Act, a population of sixty thousand or more, unless the Mayor and General Council, Mayor and Council, or other governing authority of any such municipal corporation, shall by order, resolution or ordinance provide for the charge and collections of such interest on such *fi. fas.*

All laws or parts of laws in conflict with this Act are hereby repealed.

Act of Dec. 24th, 1890.

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MANNER OF TAX SALES BY MUNICIPAL CORPORATIONS.

An Act to provide for the manner of Tax Sales by municipal corporations in this State, and for other purposes.

Municipal
tax sales.

SECTION 169. *The Senate and House of Representatives of the State of Georgia do enact,* That the time, place and manner of the sale of property, both real and personal, for taxes due to municipal corporations in this State, shall be

the same as that provided by law for Sheriffs' sales for State and county taxes. Whenever any land is so sold, the owner thereof shall have the privilege of redeeming said land, thus sold, within one year, by paying the purchaser the amount paid by such purchaser for said land, with ten per cent. premium thereon, from the date of the purchase to the time of the payment.

SEC. 170. *Be it further enacted by the authority aforesaid,* ^{Corporation may become purchasers.} That whenever, at any such sale by a municipal corporation for taxes due it, by its Marshal or duly authorized officer, no one present shall bid for the property put up to be sold as much as the tax for which it is proposed to sell the same and the officer's cost, if any due thereon, after such property shall have been cried a reasonable time, then any duly appointed officer or agent of the corporation may bid off such property for the corporation, and the Marshal, or other officer making such sale, shall make to the corporation a deed to the property so sold, and deliver the same to the officer designated by the corporation to receive it, and the title acquired by the corporation at such sale and by such deed, shall be perfect, valid and binding after the period above provided for redemption by the owners shall have elapsed, and there is no redemption by the owner, as if purchased by an individual or corporation other than such corporation so purchasing; and the Marshal, or other duly authorized officer making the sale, shall put the corporation, through any officer or person it may designate, in the possession of the property so sold.

SEC. 171. *Be it further enacted by the authority aforesaid,* ^{How sold by such corporation.} That the governing body of any such municipal corporation, whether known as Mayor and Councilmen, Mayor and Aldermen, or by any other name, during whose term of service any such sale shall take place, nor any subsequently elected or appointed governing body, shall be capable of diverting or alienating the title of the corporation to any property so purchased, except by a public sale of the same to the highest bidder.

Ordinance. SEC. 172. *Be it further enacted by the authority aforesaid,*
That municipal corporations shall have full power and
authority to pass appropriate ordinances and by-laws to
carry this Act into effect.

Shall not
apply to
counties. SEC. 173. *Be it further enacted by the authority aforesaid,*
That this Act shall not be construed to apply to counties.

Repealing
clause. Repeals conflicting laws.

Approved February 27th, 1877.

TAX OFFICERS—DUTIES, ETC.

Assessors
for taxati'n
abolished. SECTION 174. The offices of Assessors of real estate for
taxation in said city are hereby abolished.

Assistant
Tax Re-
ceiver and
Assessor. SEC. 175. At the first meeting of the Mayor and Gen-
eral Council of said city, after the approval of this Act,
said body shall elect two Assistant Tax Receivers and As-
sessors, whose duty it shall be, in conjunction with the Tax
Receiver and Collector of said city, to assess the real estate
in said city for taxation, and to receive returns of property,
both real and personal, and in cases of failure to return
personal property for taxation, or failure to make a true
return, or attempted fraud in returning the same, to assess
the value of personal property for taxation.

Term. SEC. 176. One of said Assistant Tax Receivers and As-
sessors shall be elected to hold his office until July, 1882,
and one until July, 1883. Their successors shall be elected
and hold their offices for two years, and until successors are
elected and qualified. They shall have such compensation
as the Mayor and General Council shall prescribe before
their election, which shall not be changed during their
terms. † They shall take such oath and give such bond as
may be required by said Mayor and General Council.

Oath
Bond. SEC. 177. That said Assistant Tax Receivers and Asses-
sors and the Tax Receiver and Collector of said city shall
Service. give their whole time to the service of the city during such

† See Section 182.

business hours as the Mayor and General Council may prescribe during their terms.

SEC. 178. That the Tax Receiver and Collector of said city shall discharge the duties above specified (in section 24 of this Act) in addition to those now required by law, and shall give sufficient bond with sureties, to be approved by the Mayor and General Council, and shall take such oath before the Mayor as the Mayor and General Council may prescribe.

Tax Receiver and Collector

Act of September 3, 1881.

SEC. 179. *Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same,* That an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, be, and the same are hereby amended, so as to hereby provide that the Mayor and General Council of said city shall, at the first or second regular meeting of said body after the approval of this Act, elect an Assistant Tax Receiver and Assessor, who shall hold his office until the first Monday in July, 1889, when, and every two years thereafter, his successor shall be elected, so as to make the number of Assistant Tax Receivers and Assessors of said city three instead of two as heretofore.

Additional assistant tax receiver and assessor.

When to be chosen.

Term of.

SEC. 180. The duties of the Assistant Tax Receiver and Assessor created by this Act, shall be the same as that of the two Assistant Tax Receivers and Assessors heretofore created by law; his compensation shall be fixed in like manner, and he shall take the same oath and give the same bond and perform the same service as said named officers already serving.

Compensation, oath and duties, bond of.

SEC. 181. Nothing in this Act shall be construed to relieve the Tax Receiver and Collector of said city of any duty or service heretofore devolving on him by law.

Tax receiver and assessor not relieved of present duties.

AN Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to provide as follows: To abolish all distinction of rank and title as to Tax Receivers and Assessors of said city; to provide that the Chairman of the Committee on Sanitary Affairs shall be ex-officio a member of the Board of Health of said city, in addition to the five members as now provided by law.

SECTION 182. *Be it enacted by the General Assembly of Georgia,* That from and after the passage of this Act, all distinction of rank and title as between the Tax Receivers and Assessors of said city is hereby abolished, and each of said Assessors shall have equal rank and authority, and the Mayor and General Council of said city are hereby empowered at any time after the passage of this Act, and prior to July 1st, 1891, to make the salaries to be paid said Tax Receivers and Assessors equal in amount; *Provided,* that this Act shall in no wise interfere with the authority which the Mayor and General Council of said city now have under an Act approved September 18th, 1883, with reference to the fixing of certain salaries in said Act referred to.

Act of December 11th, 1890.

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See Section 139 for change as to tax officers and duties, in Act creating City Comptroller.

See also Sections 80 to 81.

CHAPTER XXIV.

WATER COMMISSIONERS; WATER SUPPLY; WATER BONDS,
ETC.; ADDITIONAL POWERS CONFERRED.

SECTION.

183. Water Commissioners issue no more bonds.
184. Surplus revenue; assessment for water pipe.
185. Redemption bonds.
186. Title of Act.
187. Number of Board; how elected, etc.
188. Income to be paid into City Treasury and expenses to be paid out on orders of Mayor and General Council.
189. Estimate of income; appropriations to water-works.
190. Expenses within income.
191. Sinking fund; how managed.
192. Corporate limits extended for police purposes and to protect the water and water supply, etc.
193. No expenditure by the Board in excess of income.
194. Power to enlarge and improve water supply at the present or any other site; control of water shed.
195. Surveys authorized.

SECTION.

196. Rights-of-way; may purchase, condemn and lease property.
197. Power as to use of streams.
198. Laying mains.
199. Disputed condemnation of property.
200. Use of reserve and other funds; temporary loans.
201. Authority as to procurement of funds.
202. Work under control of the Mayor and General Council.
203. Previous legislation of force.
204. Provides for six Commissioners.
205. One from each ward; terms of office.
206. Terms commence when; vacancies.
207. Board, how constituted; Mayor and chairman of committee, members *ex-officio*.
208. Compensation, when fixed.
209. Issue of \$250,000 of bonds provided for.

An Act to amend an Act to establish a new Charter for the City of Atlanta, approved February 28th, 1874, and for other purposes.

SECTION 183. *Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same,* That from and after the passage of this Act, and its approval by the Governor, the Board of Water Commissioners of the City of Atlanta shall not be empowered to issue any more bonds.*

SEC. 184. *Be it further enacted by the authority aforesaid,* That said Board of Water Commissioners shall invest all surplus revenue which may from year to year come into their hands, together with the amount paid them annually by the Mayor and General Council, in bonds of the City of Atlanta, the same to be purchased at the lowest market

*See Sec. 47.

Assessment
for water
pipe.

price, and turn them over to the Treasurer of the City of Atlanta, to be entered upon his books as paid, and then cancelled and destroyed by the Treasurer and Finance Committee of the General Council. That whenever the said Board of Water Commissioners shall cause water pipe to be laid along any street in the City of Atlanta, they are hereby authorized to assess the cost, or such portion of the cost of such pipe, and the expense of laying the same, and of erecting hydrants, upon the owners of all improved property on each side of the street, or portion of a street along and through which such pipe has been, or may be, extended, such assessment to be made under such just and equitable rules as said Board of Water Commissioners may establish, not exceeding seven dollars each; and if any property owner shall refuse, after demand, to pay such assessment, the name of such person, the amount due by him, and a description of the property in front of which such pipe has been run, shall be furnished by the Board to the Clerk of the City Council of Atlanta, who shall issue execution against such owner for the amount due; which said execution shall be levied by the City Marshal and collected out of the property mentioned on tax execution, and the amount paid over to the Water Commissioners, and the fees of the Clerk and Marshal shall be the same as allowed by law for tax executions; *Provided*, that any person taking water on his, her or their premises, shall be charged the regular water rate, and shall not be subject to said assessment: *Provided, further*, that if the property owner aforesaid shall take, within twelve months from the laying said pipes, water in pursuance of all rules and regulations of the Water Commissioners, then said sum so collected shall be credited upon the current water rates of the property owner for the year he or she shall take the same: *And, provided, also*, in no case shall any sum be levied upon any property owner failing or refusing to take said water more than one term.

SEC. 185. *Be it enacted by the authority aforesaid,* That no bonds issued by the Mayor and General Council of the City of Atlanta, to meet maturing and outstanding bonds, shall bear a higher rate of interest than such maturing bonds. No more bonds shall be issued for any other purposes.*

Redemption bonds.

Act of February 27th, 1877.

WATER WORKS—EXTENSION OF CITY LIMITS, ETC.

SECTION 186. An Act to amend an Act entitled “an Act Title. to establish a new charter for the City of Atlanta,” approved February 28, 1874, and the several Acts amendatory thereof, so far as to provide for three instead of five Water Commissioners for said city, and to provide their compensation. To require the revenue from the water-works to be paid into the City Treasury, and to provide for appropriations from the City Treasury to pay the expenses of operating said-water works; to restrict the expenses of said water-works to its income. To require the Mayor and General Council of said city to invest the thirty-five hundred dollars required to be raised annually by taxation as a sinking fund for the redemption of water bonds, instead of the Board of Water Commissioners, and to incorporate certain territory for police and sanitary purposes, in order to protect said water-works and its appurtenances, and the purity and healthfulness of the water.

SEC. 187. *The General Assembly of the State of Georgia do enact,* That at the first regular meeting of the Mayor and General Council, in 1880, said body shall elect three* Water Commissioners for the City of Atlanta; which said three members shall constitute the Board of Water Commissioners of said city, instead of five members as heretofore.† Said new members shall be elected and hold their

Board of Water Commissioners to consist of three members, to be elected by the Council.

*See Sec. 56.

*See Sec. 221.

*See Secs. 39 and 56, 57 and 204, 205 and 207

† Mayor *ex-officio*. Sec. 207.

office for the following terms: One for one year, one for two years and one for three years. At the end of the term of each of said members, and thereafter, Water Commissioners shall be elected for three years. Said new Commissioners and their successors shall receive such compensation, not to exceed two hundred dollars per annum,[†] as the Mayor and General Council for the year next preceding their election shall provide; and which shall not be changed during their terms.

Income to
be paid in-
to City
Treasury.

SEC. 188. On and after January 1st, 1880, all money collected from water rents, and any other income from said water-works, shall be paid, as collected, to the Clerk of Council of the city, and by him into the City Treasury, and the necessary funds to carry on said water-works shall be paid out of the City Treasury on orders of the Mayor and General Council.

Manner of
appropriat-
ing for ex-
penses.

SEC. 189. Said Board shall by the first meeting of the Mayor and General Council in May of each year, file with said body an estimate of the probable receipts from water rents and other income, if any, and of the amount necessary to run said water-works during the current year. Said Mayor and General Council shall then, and at the same time that other appropriations are made, make such appropriations, and set apart such amount for said water-works, as may be necessary for the economical and successful operation of the same; and shall pay the same over to the Board of Water Commissioners as it may be needed.[‡]

Expenses
to be con-
fined to in-
come.

SEC. 190. The annual appropriation for water-works shall never exceed the estimated annual income, except in an extraordinary emergency, to be judged of by the Mayor and General Council.

Sinking
fund.

SEC. 191. The sinking fund of thirty-five hundred dollars, which the Mayor and General Council of said city are required to raise annually by taxation, shall hereafter be invested, managed and expended by the Mayor and Gen-

[†] See Section 57.

[‡] Section 35.

eral Council, instead of the Board of Water Commissioners of said city.*

SEC. 192. For the purpose of enabling the city authorities to fully protect said water-works, including the machinery, telegraph line, pipes, the reservoir, the water, and the purity and healthfulness of the same, the corporate limits of the City of Atlanta are hereby extended so as to embrace the following land lots in the 530th District, Georgia Militia, known as Blackhall District, to-wit: Land lots numbers 71, 72, 73, 74, 86, 87, 88, 89, 90, 103, 104, 105, 106, 107, 120, 121, 122, and in Fulton county, Georgia; and said Mayor and General Council are hereby fully authorized and empowered to pass such ordinances in relation to, and over the territory embraced in, such extension as may be proper and necessary for the full, ample and complete protection of said water-works, and all its appurtenances as above mentioned. And they shall have full power and authority to enforce by penalties a compliance with, and observance of, such ordinances. And said body, or the Board of Health of said city, may cause to be abated and removed anything which may cause impurity or unhealthfulness of the water from the said water-works.

SEC. 193. After the passage of this Act, and before the first appropriation herein provided for, said Board of Water Commissioners shall not incur any expense, or make any expenditures in excess of its income.

All laws and parts of laws conflicting with the above Act, or any of its provisions, are hereby repealed.

Approved August 29th, 1879.

*See Secs. 56 and 194 to 203.

CONFERRING ADDITIONAL POWER, ETC., AS TO WATER
SUPPLY.

An Act to amend the Charter and laws of the City of Atlanta so as to authorize and empower the City of Atlanta to enlarge and improve the water supply of said city in any manner and to any extent that is or may be needful from the present or any other site or sites; to acquire rights and property, real and personal, for the same, both within and without the corporate limits of said city, and anywhere in this State, upon just compensation, and to confer all authority, rights and remedies necessary or appropriate for obtaining the water and right-of-way and water power, and for forcing it into and distributing it in the city, and for carrying into effect the object of this bill, and for other purposes.

SECTION 194. *The General Assembly enacts*, That the Charter of the City of Atlanta and laws of this State be, and they are hereby so amended as to authorize and empower the City of Atlanta to enlarge and improve the existing water supply and water-works of said city in any manner and to any extent that is or may be needful from the present or from any other site or sites; that said city shall have power to acquire all rights and property, real and personal, necessary or appropriate for affording a complete and sufficient supply of reasonably pure and clear water to said city, and shall have power to acquire and hold or use all such rights and property, both within the limits of said city and anywhere in this State, including ownership of and dominion in whole or in part over the water shed from which the water to be supplied is gathered, however large the tract of land necessary for the purpose may be, so as to let said water shed grow up in grass and trees without manuring or tillage or other hurtful use, and so as to keep the water clear and pure.

SEC. 195. *Be it further enacted, etc.*, That the said city shall have power to cause such examinations and surveys to be made for the proposed work contemplated in this bill as shall be necessary or proper to the selection of the most advantageous location or locations, site or sites, water shed or sheds, and right or rights, way or ways, for locating all their works and appliances for bringing the water and

Surveys,
etc.

distributing it in the city, and for carrying out the object of this bill; and for such purpose the said city, by its officers, agents, servants or employees, shall have the right to enter upon the land or water of any person, and all the rights, powers and privileges heretofore conferred by the legislature under any bill enacted by the same upon said city for erecting and maintaining water-works, are hereby revived and continued in full force for the purposes of this Act, in extending said water-works, or in erecting new water-works, either or both, as the case may be.

SEC. 196. *Be it further enacted*, That the city, by its agents aforesaid, may construct its works or lay its pipes upon acquiring the property or right so to do, as the case may be, with the necessary way or ways, dams, canals, race-ways, reservoirs, excavations, or embankments, and do all acts and things necessary for the construction and maintenance of said works, and shall have power to lease or buy or condemn any property, real or personal, anywhere in this State for the purpose, or acquire the same by donation, and to sell, lease or dispose of any part thereof not found necessary for the works, at the pleasure of the city; and said city, by its agents as aforesaid, shall have power to obtain gravel, stone, earth, timber, or other material, and to take such land as may be necessary for the proper construction, operation and security of said works, and to cut down any trees that may be necessary therefor, or security of the same, making compensation therefor, as by this bill, or under the law provided for property taken for public use, and shall have all other powers and authority necessary and appropriate to accomplish the objects of this Act.

Rights of way, etc.

Lease, purchase, sale and condemnation of property

SEC. 197. *Be it further enacted, etc.*, That said city shall have power to use and employ for the purpose of said works any stream or streams of water or water course or water courses, or any part of such waters, which by said city shall be deemed necessary and appropriate; to use such waters by employing the same for power to run or move the nec-

Use of streams.

essary machinery, or for pumping through the mains and distributing over the city, either or both, as the case may be; making compensation therefor as by law required.

Laying
mains.

SEC. 198. *Be it further enacted*, That said city shall have power to lay its mains along any street or highway, or otherwise, whenever necessary; to cross, occupy, or appropriate with its works such highways or streets or any part thereof.

Disputed
condemna-
tion of
property.

SEC. 199. *Be it further enacted*, That the rights and remedies of said city, and all persons and corporations whose property, franchises, easement or rights it may seek to condemn or appropriate for the purposes of this Act, shall be those contained in, and set out in, part 2, title 1, chapter 1, section 1689, sub-section L, of the present Code of Georgia for condemning and making compensation for property where the same is sought to be taken for railroad purposes, substituting the said city as the pro-movant in such proceedings in lieu of the railroad company, as in said section contemplated, and if, in any respect, the rights and remedies in said section set out should be found inappropriate, then the right and remedies shall be the same as is contained and provided in the Act of the Legislature of said State originally authorizing the City of Atlanta to provide and erect water-works, and in the several amendments afterwards made thereto.

Employ-
ment of
city reserve
funds, etc.

SEC. 200. *Be it further enacted, etc.*, That for the purpose of carrying into effect the objects of this Act, the said city shall have power to use and employ the fund or funds accumulated under the charter of said city, under the Act of the General Assembly of said State, approved December 18, 1884, relative to providing a fund for the purpose of making a part of the taxes of each year available for current expenses during a portion of the succeeding year, and under the several Acts, of which said last recited Act is amendatory, and for the purpose aforesaid, the City of Atlanta shall have power to make any contract or contracts, or to incur any obligation or obligations upon the means

and resources of said city, not repugnant to the Constitution of this State; and that to supply the place of accumulated funds diverted, or used as above specified, there shall be annually set apart twenty-five thousand dollars of the revenues of said city, commencing with the year 1887, until a fund of two hundred and fifty thousand dollars has been accumulated, which shall be applied as contemplated, and required from year to year, as required by said Act of December 18, 1884, and the several Acts of which the same is amendatory; and in the meantime said city may make such temporary loans as are actually necessary in the beginning of the year to anticipate the revenues until the collection of the same begins to flow into the treasury in the summer months.

SEC. 201. *Be it further enacted, etc.,* That said city shall have power, if by it deemed wise to do so, to procure from any person or persons willing thus to invest the funds, in whole or in part, necessary to extend said works, or to erect new works, and to vest the title to a corresponding part of the property, or the whole of it, as the case may be, to him or those thus advancing the money, upon an agreement that the city have an option to purchase and pay for a title to the property at a future day whenever the city shall be provided with funds or means of doing so, the city in the meantime using and operating the works at an agreed rental, to be paid by it upon such terms and conditions as may be by the parties agreed on.

Procuring
funds from
others, etc.

SEC. 202. *Be it further enacted, etc.,* That the work contemplated under this Act shall be carried on through the agency of the Board of Water Commissioners of said city, under the direction and control of the Mayor and General Council of the same.

Control of
work.

SEC. 203. *Be it further enacted, etc.,* That the works provided for or contemplated under this bill are to be deemed and taken as a continuation of, and in lieu of, the water-works heretofore enacted and used by said city, and all existing legislation, as well as the ordinances of said city,

Previous
legislation,
etc.

forbidding trespasses or any interference with said water-works, and all sanitary laws and regulations relative to the same, are hereby revived and made applicable to said new works, or extended works, as the case may be, with the same remedies, pains and penalties as by previous Acts and ordinances of the City of Atlanta; or the general laws of the State, are or may be provided.*

Repeals conflicting laws.

Approved September 5th. 1885.

BOARD OF WATER COMMISSIONERS; ONE MEMBER FROM
EACH WARD; MAYOR AND CHAIRMAN COMMITTEE
EX-OFFICIO MEMBERS.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to provide that Board of Water Commissioners of said city shall consist of one member from each of the six wards of said city, and that the Mayor and Chairman of the Committee on Water-works of the General Council shall each be ex-officio a member of said Board; to provide for the election, and prescribe the terms of service of the members of said Board, and for other purposes.

SECTION 204. *Be it enacted by the General Assembly of the State of Georgia,* That at the second regular meeting of the Mayor and General Council of the City of Atlanta in December, 1887, said body shall elect six Water Commissioners for said city.

Six Com-
missioners
to be
elected.

One from
each ward.

Terms of
office.

SEC. 205. One of Said Commissioners shall be elected from each of the six wards of said city. The terms of the members first elected under this Act shall be as follows: Those elected from the first and second wards shall hold their offices for a term of one year; those elected from the third and fourth wards shall hold their offices for a term of two years, and those elected from the fifth and sixth wards shall hold their offices for a term of three years. At all subsequent elections, except to fill vacancies, the members shall be elected for a term of three years each, and on the expiration of a term, or the existence of a vacancy, a member

shall be elected from the ward in which the same occurs.

SEC. 206. The terms of office of all members of said Board shall commence on the first day of January following their election, except in cases of elections to fill vacancies. ^{When terms begin.}
In the latter case, elections shall be for the unexpired term. ^{Vacancies.}

SEC. 207. The Mayor of said city, and the chairman of the committee on water-works of the General Council of said city shall each be ex-officio a member of the Board of Water Commissioners of said city, and said six members above provided for, together with said Mayor and Chairman of the committee on water-works, shall constitute the Board of Water Commissioners of said city instead of three members and the Mayor of said city as heretofore. ^{Ex-officio members of Board of Water Commissioners}

SEC. 208. The compensation of the members of said Board of Water Commissioners shall be fixed by the Mayor and General Council before their election, and shall not be changed during their continuance in office, except as and to the extent provided in an Act amending the charter of said city, approved Sept 18th, 1883. ^{Compensation.}

All laws and parts of laws in conflict with this Act are hereby repealed.

Approved October 1st, 1887. *

ISSUE OF WATER BONDS PROVIDED FOR.

SECTION 209. *Be it further enacted by the authority aforesaid,* That the Mayor and General Council of the City of Atlanta be and they are hereby authorized to issue bonds to the amount of two hundred and fifty thousand dollars (\$250,000), or so much thereof as may be necessary and allowed by the Constitution of the State, in such denominations and to be due at such time as they may determine, and to bear interest at a rate not to exceed four and a half ($4\frac{1}{2}$) per cent. per annum, for the purpose of increasing the water supply of the City of Atlanta.*

Act of December 4th, 1889.

* See Secs. 39, 56 and 187.

* See Code of Ga., Secs.; also Stephens vs. Albany and Gavin vs. Atlanta, decided in 1890, as to election to determine the question as to the issue.

CHAPTER XXV.

STREET, SIDEWALK AND SEWER ASSESSMENTS; STREET AND SIDEWALK PAVING AND SEWER CONSTRUCTION; BOARD OF COMMISSIONERS OF STREETS AND SEWERS ESTABLISHED, THEN ABOLISHED AND THEIR POWERS DEVOLVED ON MAYOR AND GENERAL COUNCIL; COMMISSIONER OF PUBLIC WORKS AND CLERK CREATED.

SECTION.

- 210. Title of paving and sewer Act.
- 211. Power to grate, pave, etc.
- 212. Assess cost of sidewalks and curbing.
- 213. Assess cost of paving streets.
- 214. Equalizing assessments authorized
- 215. Lien of assessment.
- 216. Collection of assessment.
- 217. Work, grade, profiles, etc.
- 218. Assess cost of sewers: duty of City Engineer.
- 219. Sewers through property.
- 220. Commissioners of street and sewers.
- 221. Oaths of.
- 222. Qualification: compensation: chairman and secretary.
- 223. Superintendent of streets.
- 224. Control of work.
- 225. Estimates, etc.
- 226. Treasurer: bond.
- 227. Reports.
- 228. Shall not contract with the city.
- 229. Board of Commissioners of streets and sewers abolished and powers devolved on Mayor and General Council.
- 230. Commissioner of public works and clerk: election of.
- 231. Powers and duties of Commissioner to be defined by ordinance: compensation of Clerk and Commissioner.
- 232. Bond and oath of Commissioner and Clerk.
- 233. Statement to be filed by Commissioner before entering upon his duties.
- 234. Other than charter offices may be consolidated as to duties with duties of Commissioner and Clerk.
- 235. Collection and lien for street paving, etc., from street railroads.
- 236. Paving on petition having less than one-third frontage.

SECTION.

- 237. To connect improved streets or portions thereof on petition of less than one-third of frontage.
- 238. Railroads and street railroads may be assessed for improvements.
- 239. Authority to close lanes and alleys.
- 240. Authorizing transfer of *fl. fas.* for improvements.
- 241. Duty of railroads as to bridges, crossings, etc., in the city.
- 243. County convicts, work in city.
- 244. Same subject.
- 245. Additional power as to drainage, sewerage and plumbing.
- 246. Assessment per lineal foot for sewers constructed in streets and through property; rights of connection, etc.; discretion of Mayor and General Council; remaining cost paid by city out of annual appropriations for that purpose; illegality may be filed.
- 247. Control as to time and manner of work.
- 248. Procedure if damages claimed.
- 249. Rule as to street corners in assessing for sewer.
- 250. Lien of assessment.
- 251. Ordinances for constructing sewers and publication of notice of same; substantial compliance
- 253. Procedure if property owner fails to appoint assessors for opening street, etc.
- 254. City may decline property assessed for streets, etc.
- 255. Procedure where assessors fail to agree and further, fail to agree on a fifth assessor.
- 256. Former provisions retained.
- 257. Authorizing condemnation of certain corporate property for opening Edgewood avenue.

ASSESSMENT OF COST OF PAVING—COMMISSIONERS OF
STREETS AND SEWERS, ETC., ETC.

SECTION 210. An act to amend an Act establishing a new Title. Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to authorize the Mayor and General Council of said city to grade, pave, macadamize, and otherwise improve the streets of said city; and to authorize said body to assess and collect two-thirds of the cost of said improvements out of the real estate fronting on said streets so improved; and to authorize drains in said city, and to assess the cost of the same on real estate abutting on the streets through which sewers may be constructed and placed, and on the real estate through which sewers may pass; and to authorize sewers and drains to be constructed through private property on the payment of damages; and by establishing a Board of Commissioners of Streets and Sewers for said city, to fix their terms, compensation and duties; and to provide that in the event the receipts of said city for any year shall exceed the amount of the aggregate appropriations for such year, that such excess may be used and expended by the Mayor and General Council of said city; and to provide for a separate appropriation each year for sanitary purposes, the same to be expended by the Board of Health; and to authorize the Mayor and the General Council of said city to make an assessment on the various lots and lot owners in said city for sanitary purposes, not to exceed three dollars per annum on every lot so assessed, and to authorize the collection of the same by execution, levy and sale; and to provide that hereafter Police Commissioners shall be elected by a majority vote instead of a two-thirds vote of the Mayor and General Council of said city; and to amend section sixty (60) of said original Act in reference to opening streets so as to abolish the Board of Assessors of real estate for taxation in said city, and to create a Board of Assessors of real and personal property for taxation, of which Board the Tax

Receiver and Collector of said city shall be a member, and to define their powers and duties. To authorize the payment of Election Commissioners reasonable compensation; also to provide for the election by said body, in January, 1882, of a Board of Health for the following terms: One for one year, two for two years, and two for three years, and their successors for three years. Also, to amend section 67 of said Act of 1874, so as to provide that the members of the Board of Health need not be elected, one from each ward, as therein provided, and for other purposes.

SEC. 211. *Be it enacted by the General Assembly of the State of Georgia*, That the Mayor and General Council of the City of Atlanta shall have full power and authority in their discretion, to grade, pave, macadamize and otherwise improve for travel and drainage of the streets and public lanes and alleys of said city, and to construct sidewalks and pave the same; to put down curbing, cross-drains, crossings and otherwise improve the same. †

Assess cost
of side-
walks and
curbing.

SEC. 212. That in order to fully carry into effect the authority above delegated, said Mayor and General Council shall have full power and authority to assess the cost of paving and otherwise improving the sidewalks, including all necessary curbing for the same, on the real estate abutting on the street, and on the side of the street on which the sidewalk is so improved.

Assess cost
of paving
streets.

SEC. 213. That said Mayor and General Council shall also have full power and authority to assess one-third of the cost of grading, paving, macadamizing, constructing side-drains, cross-drains, crossings, and otherwise improving the roadway or street proper on the real estate abutting on each side of the street improved; * *Provided*, that before any street or portion of a street shall be so improved, the person owning real estate which has at least one-third of the fronting on the street or portion of a street, the improve-

† See Sec. 62.

* Hayden et. al. vs. Atlanta, 70 Ga., 817, The First Presbyterian Church vs. Atlanta, 1891.

ment of which is desired, shall in writing request the Commissioners of Streets and Sewers to make such improvements, and said Commissioners shall have approved the same, and shall forward the same with their approval to the Mayor and General Council with a statement of the character of the improvement proposed to be made, and an estimate of the cost of the same, and said Mayor and General Council shall by ordinance direct the said work to be done; *And, provided, further, †* that any street railroad company having tracks running through the streets of said city, shall be required to macadamize, or otherwise pave as the Commissioners of Streets and Sewers may direct, the width of its track, and for three feet on each side of every line of track now in use, or that may hereafter be constructed by such Company: *Provided*, that the law authorizing the assessment on the abutting property owners of the whole cost of paving sidewalks (including cost of curbing), is in no way affected hereby.

SEC. 214. Said Mayor and General Council shall have full power and authority to adopt by ordinance such a system of equalizing assessments on real estate, for the above purposes, as may be just and proper, estimating the total cost of each improvement made, and pro-rating the cost thereof on the real estate, according to its frontage on the street or portion of a street so improved. It shall be wholly discretionary with the Commissioners of Streets and Sewers, and with the Mayor and General Council, whether any work asked for is desirable or necessary, and shall be done or not; and no application shall be received, and no work done for less than an entire block: *Provided*, that the owners of one-third or more of the frontage on a block shall not, by a failure to apply for work, or by objection thereto, defeat an application of the owners of one-third of frontage of more than a block, when such application shall have been regularly made.

Equalize
assessment,
etc.

† See Secs. 235, 165 and 166.

Lien of assessment.

SEC. 215. The amount of assessment on each piece of real estate shall be a lien on said real estate from the day of the passage of the ordinance providing for the work and making the assessment.

Collection of assessment.

SEC. 216. The Mayor and General Council of said city shall have authority to enforce the collection of the amount of any assessment so made for work either upon streets or sidewalks, by execution, to be issued by the Clerk of Council against the real estate so assessed, and against the owner thereof, at the date of the ordinance making the assessment, which execution may be levied by the Marshal of said city on such real estate, and after advertisement and other proceedings as in cases of sales for city taxes, the same may be sold at public outcry to the highest bidder, and such sale shall vest an absolute title in the purchaser: *Provided*, that the defendant shall have the right to file an affidavit denying that the whole, or any part of the amount for which the execution issued, is due, and stating what amount he admits to be due, which amount so admitted to be due, shall be paid or collected before the affidavit is received, and the affidavit received for the balance; and all such affidavits so received shall be returned to the Superior Court of Fulton county, and there tried, and the issue determined as in cases of illegality, subject to all the pains and penalties provided in cases of illegality for delay.

Work done by Commissioners.

SEC. 217. All work done in accordance with the above shall be done under the direction of the Commissioners of Streets and Sewers. Surveys, grades, plans, profiles, and other like work shall be done by the Engineer of said city, and by furnished to said Commissioners.

Assess cost of sewers.

SEC. 218. Said Mayor and General Council shall have full power and authority to lay down sewers and drains in said city, and assess the amount of the cost of laying and constructing the same upon the real estate abutting on streets through and along which sewers and drains may be placed and constructed, and upon any real estate through or upon which the same may be constructed or placed. All work of

laying down or constructing sewers and drains shall be done under the direction and supervision of the Commissioners of Streets and Sewers. The City Engineer shall furnish to said Board information and advice as to the necessities of any particular locality for sewerage, the kind of sewerage that may be desirable, with estimates of the cost of the same, and shall furnish plans and profiles and such other like work as may be necessary and proper. Amounts of assessments on real estate for constructing sewers may be collected by execution, levy and sale, as in street assessments.*

SEC. 219. Said Mayor and General Council are hereby authorized to construct and lay down sewers through property in said city: *Provided*, that before doing so, any damage done to private property thereby shall be ascertained and paid. In order to ascertain the amount thereof, assessors shall be appointed, who shall act and report as in cases of opening streets in said city, and from whose award either party may appeal to the Superior Court of Fulton county within four days.

SEC. 220. There is hereby established for the City of Atlanta a Board to be styled and known as Commissioners of Streets and Sewers. Said Board shall consist of three members. The first members of said Board shall be elected by the Mayor and General Council of said city at the first meeting of said body in December, 1881, unless there should be a failure from any cause to elect, when an election may be held at any subsequent meetings. Their terms shall commence January 1st, 1882. One Commissioner shall be elected for one year, one for two years, and one for three years. When their terms expire, their successors shall be elected for three years, or until successors are elected and qualified.*

SEC. 221. The members of said Board shall, before entering upon the discharge of their duties, take an oath before the Mayor of said city to faithfully discharge the duties

* See Secs. 246 to 251.

* Abolished. See Sections 229 to 234.

required of them by the laws and ordinances, without favor or preference to any individual or any section of said city, and for the best interest of the city.

Qualifica-
tion.

SEC. 222. No person shall be a member of said Board who is not a *bona fide* resident of said city. Removal from the city shall vacate the office. The members of said Board shall receive such compensation as the Mayor and General Council shall provide, to be paid quarterly, out of the City

Compensa-
tion.

Treasury. The amount of such compensation shall be fixed before their election and shall not be changed during their

Chairman.

term. Said Board shall from its members select a chairman who shall preside at the meetings of the Board, and shall see that the action of the Board from time to time is carried into effect. One member of said Board shall act as

Secretary.

Secretary.

Superin-
tendent of
streets.

SEC. 223. Said Board shall, immediately upon its organization, appoint a Superintendent of Streets and Sewers, who shall hold his position at the option of said Board, and shall receive a suitable salary out of the appropriations for streets and sewers, to be fixed by the Board before his appointment.

Commis-
sioners
control
work.

SEC. 224. The Commissioners of Streets and Sewers shall have full and complete control of all work of every kind to be done on the streets and sewers of said city, and the work of laying out and opening new streets, and extending, widening and changing streets: *Provided*, that the Mayor and General Council of said city shall alone have power to determine when streets shall be widened or extended, or new streets opened, and when and where new sewers shall be constructed.

Proviso.

Estimates.

SEC. 225. Said Board shall, in January of each year, make up and present to the Mayor and General Council an estimate of the amount that will be necessary for work on the streets and for work on sewers for the year; and said Mayor and General Council shall, at the time the other appropriations are made, set apart and appropriate for the street work, such an amount as may in their judgment, be

necessary and proper for the year, and shall also set apart and appropriate for the extension of sewers and work on sewers, such an amount as may, in their judgment, be necessary and proper. The amounts thus appropriated shall be paid out in such manner as the Mayor and General Council shall by ordinance provide, and such reasonable amount as may be necessary may be advanced before the annual appropriation in May, as other expenditures of the city.

SEC. 226. Said Board may, if the city ordinances shall render it necessary, elect one of its members a Treasurer, Treasurer. who shall give bond in the sum of five thousand dollars, to be approved by the Mayor and General Council.

SEC. 227. Said Board shall make quarterly reports to the Mayor and General Council, showing its transactions, in- Reports. cluding any receipts and all its expenditures in detail.

SEC. 228. No member of said Board shall at any time be interested, directly or indirectly, in any contract of any kind with the city or any of its departments, and any member who shall do so shall be guilty of a misdemeanor and may be indicted in the Superior Court of Fulton county, or proceeded against by accusation in the City Court of Atlanta, and on conviction shall be punished as provided in section 4310 of the Code of this State of 1873. Members of Board shall not contract with city.

Act of September 3rd, 1881.

AN ACT ABOLISHING THE BOARD OF COMMISSIONERS OF
STREETS AND SEWERS AND PROVIDING FOR A COMMISS-
SIONER OF PUBLIC WORKS.

To amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to repeal the amendatory Act, approved September 3rd, 1881, in so far as it establishes a Board of Commissioners of Streets and Sewers and defines their jurisdiction and powers; to confer certain powers now devolving upon said Commissioners upon the Mayor and General Council, and to provide for the election, by the Mayor and General Council, of a Commissioner of Public Works and a clerk to said Commissioner; to define the powers and duties of said Commissioner of Public Works, and to provide for compensation for said Commissioner and clerk, and for other purposes.†

SECTION 229. *Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same,* That from and after the passage of this Act, that so much of the Act amendatory of the City Charter of Atlanta, approved September 3, 1881, as establishes a Board of Commissioners of Streets and Sewers for said city be, and the same is hereby repealed, and that the powers and duties of said Commissioners of Streets and Sewers, as defined by said Act be, and they are hereby vested in the Mayor and General Council of said city.

SEC. 230. *Be it further enacted,* That the Mayor and General Council of said city serving for the year in which the elections, under this Act, shall occur, shall, at the first regular meeting in January, 1886, and at the time of meeting every two years thereafter, elect a Commissioner of Public Works and a clerk to said Commissioner. A majority of all members voting shall be necessary to a choice. The City Engineer shall act provisionally in said office until the election in 1886. Vacancies in said office shall be filled by the General Council.

SEC. 231. *Be it further enacted,* That the Mayor and General Council of said city shall, by ordinance from time to time, define the powers and duties of said Commissioner

*See Section 160.

†See Section 172.

of Public Works, and shall, before each election of said Commissioner of Public Works and Clerk, fix the compensation of those officers, which shall not be increased or diminished during their terms of office.

SEC. 232. *Be it further enacted*, That said Commissioner of Public Works shall, before entering into the discharge of the duties of said office, execute a bond with security, to be approved by the Mayor of said city, in the sum of ten thousand dollars, conditioned faithfully to discharge the duties of said office, and shall also take an oath before said Mayor that during his continuance in office, he will make all appointments and discharges of employes, and will make all selections or purchases of material, conduct and execute all contracts and dealings in behalf of the city, and will, in these, as in all other respects, faithfully and impartially discharge the duties of said office with an eye single to the duty and the good of the public service without fear, favor, affection, reward, or the hope thereof, and without being in any manner influenced by his own interests or personal favor or interest of any other individual, whether member of Council or not, and that he will faithfully execute all orders of the city government as officially expressed by the lawful ordinances or orders of the General Council, and approved by the Aldermanic Board—in case such approval be required by law—and the Clerk of said Commissioner shall, in like manner, take an oath for the faithful and impartial performance of his duties, and shall give bond in the sum of three thousand dollars.

SEC. 233. The said Commissioner of Public Works, before entering the duties of his office, shall file with the City Clerk a statement in writing, showing all real estate in the City of Atlanta and county of Fulton owned by him, or in which he is in any manner interested, either as proprietor, partner, copartner, or otherwise, with location and description thereof, and, if, during his continuance in office he becomes owner, or interested as aforesaid in any such property, he shall, within five days, supplement said statement

by like entry and description thereof—and a failure to comply with the requirements of this section shall be good cause for his removal from office.

SEC. 234. It shall be in the power of the General Council to consolidate the duties of any other office or offices in any department of the City Government, other than charter offices with those of the said Commissioner of Public Works, or his Clerk, and to discontinue or abolish such position thus rendered unnecessary.

Repeals conflicting laws.

Approved October 3d, 1885.

REGULATING COLLECTION AND PROVIDING LIEN FOR
STREET PAVING, ETC., FROM STREET RAILROADS.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to enlarge the summary and other legal remedies for assessing and collecting the cost of sewers, and of grading, paving, macadamizing and otherwise improving for travel and drainage, the streets and public lands and alleys of said city, and to authorize assessment and execution against street railroad companies having tracks running through the streets of said city so improved, and confer upon said city all the remedies to collect said assessment from street railroads that it now has to enforce collection out of the real estate abutting on each side of the street so improved, the provisions of this Act to apply to work hereafter to be done for street railroads, and for other purposes.

SECTION 235. *Be it enacted, etc.,* That whenever said city shall undertake the improvement of a street, or part thereof, under the provisions of an Act to amend the Charter of said city, approved September 3d, 1881, and shall notify any street railroad company having tracks running through said street, or part thereof, to macadamize or otherwise improve, as the Commissioners of Streets and Sewers may direct, the width of its track and for three feet on each side of every line of track now or then in said street, or part thereof, and said street railroad company shall fail to commence in fifteen days and carry on to completion said work, then, and in that event, the said city may have said work done, and all

the remedies provided in said Act, approved September 3d, 1881, to enforce collection out of the real estate abutting on each side of the streets so improved, and the lien therein given shall apply to the collection of said assessment for the work done for said street railroad. *Provided*, that this Act shall not affect any pending litigation or work heretofore done.*

Repeals conflicting laws.

Approved October 12th, 1885.

AMENDMENT AS TO PAVING STREETS.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to authorize assessments for the improvements of the streets, not exceeding four squares, to connect to other streets already improved, upon the petition of abutting owners having less than one-third frontage, where the City Government deems it reasonable so to do.

SECTION 236. *Be it enacted by the General Assembly of the State of Georgia*, That from and after the passage of this Act the Act approved September 3d, 1881, amending the Charter of the City of Atlanta be, and the same is hereby amended, so as to authorize the Mayor and General Council of said city, in their discretion, to grade, pave, macadamize and otherwise improve for travel and drainage, the streets and alleys, not exceeding four squares thereof, which connect to other streets already improved, upon the petition of abutting owners, having less than one-third frontage, the same to be done in the manner prescribed by said Act, or amendments to the same, the cost thereof to be ascertained, paid for, and payments enforced in like manner as is or may be provided by law and ordinances of said city in other cases.

Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Approved December 24th, 1886.

*See Section 72.

ADDITIONAL AMENDMENT AS TO PAVING STREETS.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to authorize assessments for the improvements of streets and alleys, not to exceed four squares of any street or alley, a portion of which is already paved or macadamized, when such improvement by paving, macadamizing or otherwise, will connect a portion or portions of such street or alley already improved, or will connect an improved portion of such street or alley with another improved street, upon the petition of abutting owners, having less than one-third frontage, in the discretion of the Mayor and General Council; also to authorize said city to require of the owner or keeper of each house or saloon for selling lager beer and other fermented drinks at retail, for license, a sum not to exceed five hundred dollars per year.

SECTION 237. *Be it enacted by the General Assembly of the State of Georgia*, That from and after the passage of this Act, the Acts approved respectively September 3d, 1881, and December 24th, 1886, amending the Charter of the City of Atlanta be, and the same are hereby amended so as to authorize the Mayor and General Council of said city, in their discretion, in addition to the powers conferred by the above recited Acts, to grade, pave, macadamize, and otherwise improve for travel and drainage, streets and alleys in said city not to exceed four squares of any street or alley, a portion of which street or alley is already paved or macadamized or otherwise improved, when such improvement by paving, macadamizing or otherwise, will connect a portion or portions of such street or alley already improved, or will connect an improved portion of such street or alley with another improved street or alley, upon the petition of abutting owners having less than one-third frontage on the street or alley or portion of the street or alley, the improvement of which is petitioned for, the same to be done in the manner prescribed by said above recited Acts, of which this Act is amendatory, or amendments to either of said Acts, the cost thereof to be ascertained, paid for, and payment enforced in like manner as is or may be provided by law, and ordinances of said city in other cases.

Grading
and paving
authorized.

To connect
improved
streets or
portions
thereof.

By petition
of less than
one-third
frontage.

Act of December 15th, 1888.

SEC. 238. *Be it further enacted*, That whenever the public interest may so require, the Mayor and General Council of said city, may by, ordinance, assess any railroad or street company, as named in the caption, to improve the streets or sidewalk, or both, or any sewer or drain contiguous to the freight or passenger depot, and to do part or all said work as right and justice may dictate, whether such work be petitioned for or not; and the mode of procedure and remedies to enforce the same, shall be those provided for street or sewer improvement in other cases as now are or may be provided by law and the ordinances of said city.

Act of December 24th, 1886.

AUTHORITY TO CLOSE LANES AND ALLEYS.

An Act to authorize incorporated cities in this State to permit the enclosure of lanes or alleys in such cities when owners of the lots abutting on such lane or alleys or part of such lane or alley, sought to be secluded, consent.

SECTION 239. *Be it enacted by the General Assembly of the State of Georgia*, That the municipal authorities of any incorporated city in this State are hereby authorized to permit the enclosure of any lane or alley, or portion of a lane or alley, in such city, where the owners of the lots abutting on such lane or alley, or portion of such lane or alley sought to be secluded, and the owners of any other lots to the enjoyment of which access through such lane or alley is necessary, consent: *Provided*, that said municipal authorities may have the right at any time to re-open said lane or alley. †

Repeals conflicting laws.

Approved December 16th, 1878.

Repealing clause.

AUTHORIZING TRANSFER OF FI. FAS. FOR IMPROVEMENTS.

SECTION 240. *Be it further enacted*, That the Marshal or collecting officer of said city, as the case may be, shall be

† See Sec. 60.

authorized to transfer and assign any *fi. fa.* or *fi. fas.* issued for street, sewer or other assessments, in the same manner upon the same terms, and to the same effect, and vesting the purchaser or transferee with the same rights as in cases of sales or transfer of tax *fi. fas.* as now allowed by law, and that at all sales of property hereafter made, under execution made in behalf of the city for the collection of street, sewer and other assessments, the owner or owners, as the case may be, shall be authorized to redeem the same within the same time, on compliance with the same terms, and payment of same premiums, interest and cost as in cases of redemption of property where sold under tax *fi. fa.* or *fi. fas.* as now is, or from time to time, may be provided by law.

Act of December 24th, 1886.

DUTIES OF RAILROADS AS TO BRIDGES, CROSSINGS,
APPROACHES, ETC., IN ATLANTA.

SECTION 241. *Be it further enacted*, That the Mayor and General Council of said City of Atlanta are hereby authorized and empowered to require all railroads and railroad companies to erect suitable bridges across their tracks and road-beds, where the same cross the public streets of said city, in all cases in which said Mayor and General Council shall declare the same necessary for the protection of human life. It shall also be the duty of railroads or railroad companies having bridges erected, or when they may hereafter erect bridges across their tracks and road-beds, where the same cross the public streets of said city, to keep said bridges and the approaches thereto, and the foundations and pillars and supports thereof, in safe condition, and so as to admit of comfortable travel on any such street. Said Mayor and General Council shall have the authority to regulate the building and repair of such bridges, in so far as to declare the general character of such bridges or repairs, suitable to be made, and to provide for the drainage, light and comfort of said bridge and the street adjacent thereto or there-

under, and to provide for the least obstruction by supports and otherwise of any portion of the street, practical and consistent with safety. In case of the failure of any railroad or railroad company, after reasonable notice to do so, to build or repair a bridge or the approaches thereto or otherwise, as provided above, said Mayor and General Council shall have the authority to do such building, repairing or putting in safe and comfortable condition, at the expense, with interest and cost, of such railroad or railroad company, for which execution may issue, as other executions are issued by said city, and be levied on any property of such railroad or railroad company; and such execution shall bear interest at the rate of seven per cent. per annum. *Provided*, That nothing in this section contained shall require railroads and railroad companies to build bridges otherwise than is required by the general laws of this State, or the charters of such railroad companies, respectively, *except* in all cases in which a public street was in existence before the tracks and road-beds of any such railroad or railroad companies were laid or placed across any such public streets.

Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Approved September 4th, 1889.

COUNTY CONVICTS—WORK IN CITY LIMITS.

SECTION 242. An Act to amend an Act, entitled "An Act to alter and amend the road laws of this State, so far as relates to the county of Fulton, and to provide for the working of the public roads of said county by convict labor, etc.," approved February 28th, 1876, in so far as to require the Ordinary of said county to work the county convicts upon the streets of the city of Atlanta, and upon the county roads outside of said city, for such time each, as is in proportion to the population of the city, and the population of the territory in the county outside of the city limits.

County
convicts—
how
worked.

Proviso.

Repealing
clause.

SEC. 243. *Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by authority of the same,* That, from and after the passage of this Act, the Ordinary of Fulton county is hereby required to work the county convicts, such a proportionate length of time upon the public streets of the City of Atlanta, and the county roads in the county of Fulton, outside of the city, respectively, as the population of the city bears to the population of the county outside of the city; and that said work in the city shall be done under the direction of the Mayor and General Council of said city: *Provided,* that said Mayor and Council shall not be authorized or allowed to construct sewers and to work said convicts on the streets in said city within the fire limits of the same or within one mile from the centre of said city.

Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.

Approved October 13th, 1879.

REGULATING THE WORK OF THE CHAIN-GANG OF FULTON COUNTY WITHIN THE CITY OF ATLANTA.

SECTION 244. An Act to repeal the Acts, approved respectively October 13th, 1879, and September 13th, 1881, which relate to the working of the chain-gang of Fulton county on the streets of the City of Atlanta, and to repeal the proviso to section 3 of the Act, approved February 27th, 1877, which said proviso is in these words, to-wit: "*Provided,* said chain-gang is never allowed to work within one mile of the center of said City of Atlanta," and to invest the Commissioners of Roads and Revenues of Fulton county with the exclusive control of the convicts in said chain-gang, and to give the said Commissioners of Roads and Revenues the sole power to direct the work of said convicts, and to limit the liability of Fulton county, while said convicts are working within the City of Atlanta.

Be it enacted, etc., That from and after the passage of this Act, the above recited Acts be, and the same are hereby repealed, and that the Commissioners of Roads and Revenues of said county, be, and they are hereby invested with the exclusive control of said convicts, and with the sole power to direct the work of the said convicts without reference to proportion of population between the City of Atlanta and the county outside of said city; *provided*, that whenever the said Commissioners of Roads and Revenues shall see fit to direct that said convicts shall work on the streets of the City of Atlanta, that the grade, style and character of the work shall be determined by the city authorities, but the particular locality or streets upon which the work is to be done, shall be decided by a majority vote between the members composing the Boards of Commissioners of Roads and Revenues and Commissioners of Streets and Sewers of said city, or in the event of the abolishment of said Board of Commissioners of Streets and Sewers, the Street Committee of the City Council of said city.

Act of September 21st, 1883.

ADDITIONAL POWERS AS TO DRAINAGE, SEWERAGE, PLUMBING, ETC.

SECTION 245. *Be it further enacted*, That the Mayor and General Council of said city shall be authorized to provide by order, resolution or ordinance of that body, from time to time, for the adoption and enforcement of additional and suitable regulations in said city, such as may be needful and proper on the subject of drainage, sewerage, plumbing, and all that is or may be needful for improved sanitation, and to provide agencies and means for carrying out and enforcement of the same through its officers, or any of its boards, and to make all necessary inspections, to withhold authority and license for plumbing to any but competent persons, and to do all else that is or may be needful

Additional powers to drainage, sewerage & plumbing.

to require compliance by individuals with the rules thus adopted, and shall have power to make alterations and amendments thereto, as from time to time may be needed.

Be it further enacted, That all laws and parts of laws militating against this Act are hereby repealed.

Approved December 24th, 1886.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28, 1874, and the several Acts amendatory thereof, so as to provide a better system of sewer assessments in said city, and for other purposes.

SECTION 246. *Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same*, That from and after the passage of this Act, The Act establishing a new Charter for the City of Atlanta, approved February 28, 1874, and the several Acts amendatory thereof be, and the same are hereby amended, so as to hereby provide that in all cases where a sewer shall be laid by or under the authority of said city in any street, the sum of ninety cents per lineal foot shall be assessed upon the property and estates respectively abutting on said sewer, on each side of said street in which said sewer is laid or constructed, and in consideration of the payment of said assessment the owners of said estates shall have the right to connect their drains from said abutting property for the discharge of sewerage into said sewer; and in case any such sewer is laid down or constructed through or over any private property, along the course of any natural drain or otherwise, a like sum of ninety cents shall be assessed upon such property abutting upon each side of said sewer for every lineal foot, making in all one dollar and eighty cents for every lineal foot to be assessed upon such property through which sewers are constructed as aforesaid, and in consideration of the payment of said assessment, the owners of said estates respectively on each side of said sewer, through or over which such sewer may be constructed, shall have the right to connect their drains from said abutting property for the dis-

charge of sewerage into said sewer. The extent and character, material used, and expense of sewers constructed, as well as the time and manner of constructing the same, shall be in the discretion of the Mayor and General Council of said city, and to be prescribed from time to time by ordinances, and upon like notice and in the same manner, and the assessment laid and enforced by execution, levy, sale, or otherwise, as in case of ordinances and assessments for the paving of streets in said city, except that sewers hereby authorized may be constructed with or without petition by property owners, where, in the judgment and discretion of the Mayor and General Council, the public health and good of the city shall require. The remaining cost of all sewers not thus assessed shall be paid by said city out of the sewer appropriations for the year; provided, that the defendant shall have the right to file an affidavit denying the whole or any part of the amount for which the execution issued is due, and stating what amount he admits to be due, which amount so admitted to be due shall be paid or collected before the affidavit is received, and the affidavit received for the balance; and all such affidavits so received shall be returned to the Superior Court of Fulton county, and there tried and the issue determined as in cases of illegality, subject to all the pains and penalties provided in cases of illegality for delay.

SEC. 247. *Be it further enacted,* That for the preservation of all sewers in said city for the public use and easements aforesaid, the said Mayor and General Council shall have the authority to direct and control the time and manner in which connections shall be made with such sewers, and by whom the work is to be done, and upon what terms and conditions, and at what point and to what extent surface water or drainage shall be permitted to flow into sewers, and generally all matters relating to the uses and control and repairs of sewers and sewer connections, and replacing of paving and other adjacent structures in good condition shall be at all times under the regulation and control of the

said Mayor and General Council in its fair and legal discretion.

SEC. 248. *Be it further enacted*, That in case of any sewer or sewers, or parts of the same, being built or laid over or through private property, if the owner of such property claim damages for the occupation of said lands by such sewer and construction of the same thereon, give notice of such claim, but a failure to give such notice shall in no wise effect or prejudice the right of such owner to bring suit for damages sustained. But upon giving notice of such claim for damages as aforesaid, then assessors shall be appointed to assess damages to said land by reason or on account of the construction of any such sewer through or upon the same, said assessors to be appointed, notice given, and their award made as in case of property taken for opening, widening or straightening streets under the charter and laws of said city.

SEC. 249. *Be it further enacted*, That in case of real estate situated on street corners, and having frontage on two streets, the owner, and real estate thus situated, shall be assessed as by this Act provided for the frontage on the street in which a sewer is first laid, and when a sewer is laid on the other street seventy-five feet of frontage shall be exempt from assessment on the owner and real estate for the last named sewer.

SEC. 250. *Be it further enacted*, That the amount of such assessment for sewers on each piece of real estate shall be a lien on said real estate from the day of the passage of the ordinance providing for the work and making the assessment. That this Act shall not take effect till the first day of January, 1890.

SEC. 251. *Be it further enacted*, That the construction of all sewers under this Act shall be provided for by ordinance. After the first reading of an ordinance providing for a sewer, a notice of the introduction of the same shall be published in one or more of the daily papers of the city; such notice shall contain a statement of the line along which the

proposed sewer is to be laid, and a statement of the general character, material and size of such sewer. Said notice shall be published at least as many as ten days before the adoption of such ordinance, and said ordinance may be adopted at the next meeting after its introduction, or at any subsequent meeting after said notice has been published. Substantial compliance with the above requirement as to notice shall be sufficient. †

SEC. 252. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are, hereby repealed.

Approved November 8, 1889.

ASSESSMENT FOR OPENING STREETS, ETC.,—PROCEDURE
IF PROPERTY OWNER FAILS TO APPOINT ASSESSORS.

SECTION 253. Section sixty (60) of said original Act, approved February 28, 1874, is hereby amended by adding thereto the following: “ If any property owner shall fail, after notification, to appoint assessors by the time prescribed, Assessors. then the two assessors appointed by the city shall proceed to make the assessment, and in the event they fail to agree Opening streets. they shall call in a third freeholder, who shall be sworn, and act with them, and the finding of the majority shall stand as the award, unless appeal be entered in conformity to law.”*

CITY MAY DECLINE PROPERTY ASSESSED.

SECTION 254. *Be it further enacted*, That whenever it is proposed that any property be taken for public use, under authority of the said city, in any department thereof, whether for streets, sewers, water-works, or any public purpose, and the same shall be assessed, or a price fixed, or award made as provided by law, it shall be optional with City may decline to take property assessed.

† See Secs. 62 and 218.

*Act of Sept. 3d, 1881.

the City Government to decline accepting the property, should the price thus fixed or award made be deemed by the General Council to be too high or unreasonable.

Act of Dec. 24th, 1886.

An Act to amend "An Act establishing a new Charter for the City of Atlanta," approved February 28th, 1874, and the several Acts amendatory thereof, so as to provide for a more perfect method of condemning private property for opening or widening streets, lanes and alleys in said city, and for other purposes.

SECTION 255. *Be it enacted by the General Assembly of Georgia, and it is hereby enacted by the authority of the same,* That an Act entitled "An Act establishing a new Charter for the City of Atlanta," approved February 28, 1874, and the several Acts amendatory thereof, are hereby amended so as to provide for the selection of a fifth assessor in all cases where City Government of said city shall desire, or may be taking steps to open, lay out, widen, straighten or to otherwise change streets, alleys and squares in said city. Said assessors so appointed as now provided by the charter of said city shall, within three days after notice to them of their appointment, meet at the office of the Clerk of the Mayor and General Council of Atlanta, at twelve o'clock M. on a day to be designated by said Clerk, and if there is not a full attendance of such assessors, those present shall adjourn until twelve o'clock on the next day, and it shall be the duty of the Clerk to at once give notice to such absent assessors of such adjournment, and appointment for another meeting. At such first day so appointed, or the day thereafter, as the case may be, those present shall take an oath before the Mayor, or any officer authorized to administer oaths, faithfully and partially to perform the duties for which they are appointed, and immediately after taking and subscribing to the oath aforesaid, they shall, before proceeding to the consideration of the question submitted, select a fifth assessor, who shall act as umpire, and take and subscribe the oath prescribed

or assessors as above stated, and should such fifth assessor or umpire fail or refuse to serve, then another shall in like manner be selected, and so on until an umpire shall be chosen. In the event that the assessors appointed on the part of the city and those appointed on the part of the property owners cannot agree, or fail or refuse to agree on a fifth assessor or umpire within two days after they organize or take the oath as herein prescribed, the Clerk aforesaid shall at the next meeting of the Mayor and General Council, give notice of such failure or refusal, and said Mayor and General Council shall appoint or elect such fifth assessor, and he, with any two or three more of the other assessors, shall, within five days thereafter, proceed to make an award and report the same as now provided.

SEC. 256. *Be it further enacted*, That this Act shall not be construed to repeal or change the right of appeal from any award to the Superior Court which now exists, nor to repeal or change the law which now provides the mode of procedure and assessment in such cases where the property owner or owners fail on notice to appoint assessors appointed by said city, nor shall this Act be construed to effect the right of the city to adopt or reject any award, as now provided by the Charter thereof.*

Be it further enacted, That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Act of December, 1890.

*See Section 60.

AUTHORIZING CONDEMNATION OF CERTAIN CORPORATE
PROPERTY FOR OPENING EDGEWOOD AVENUE.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to authorize and empower the authorities of said city to assess and condemn so much of the real estate of the Atlanta Street Railroad Company, in said city, as may be required by said city for public use for opening, widening or extending Edgewood Avenue, formerly Exchange Place and Foster Street, between Pryor and Ivy Streets.

Condemnation of property. For widening Edgewood Avenue. SECTION 257. The Mayor and General Council of the City of Atlanta are hereby authorized and empowered to condemn so much of the real estate of the Atlanta Street Railroad Company in said city, for public use, for opening, widening or extending, as they may desire, Edgewood Avenue, formerly Exchange Place and Foster street, between Pryor and Ivy streets.

Award for damages. Said real estate desired by said city for said street, as aforesaid, shall be assessed and damages awarded as is now provided by the charter of said city where real estate of natural persons is desired for opening, laying out, widening, straightening or otherwise changing streets in said city.

Future exercise of right of eminent domain. The said Mayor and General Council and the said Atlanta Street Railroad Company shall, in the exercise of the power herein given, have all the rights and be subject to all the obligations conferred in said charter and the Acts amendatory thereof, in reference to taking real estate for the purposes aforesaid.

That all laws in conflict with this Act are hereby repealed.

Approved December 10th, 1888.

CHAPTER XXVI.

MAYOR; MAYOR PRO TEM.; PROVISIONAL MAYOR PRO TEM.;
 APPROVAL AND VETO OF THE MAYOR; MAYOR PRO
 TEM. PRESIDES OVER GENERAL COUNCIL, COUNCIL AND
 BOARD OF ALDERMEN; ALDERMEN INCREASED TO FIVE
 AND THEN TO SIX; INELIGIBILITY OF ALDERMEN AND
 COUNCILMEN; 6TH WARD.

SECTION.

- 238. Veto power of the Mayor extended.
- 259. Mayor *pro tem.* exercises, when.
- 260. Mayor shall approve or veto all legislation.
- 261. Mayor *pro tem.* presides, with the exception stated; Mayor presides when.
- 262. Mayor *ex-officio* Police Commissioner and Water Commissioner.
- 263. Mayor *ex-officio* a member Board of Health,
- 264. Provisional Mayor *pro tem.*; when and how chosen.

SECTION.

- 255. Aldermen increased to five; when and how elected.
- 266. First election and rule thereafter.
- 267. Mayor *pro tem.* elected *viva voce*.
- 268. Aldermen increased to six.
- 269. Sixth ward created.
- 270. Election for Councilmen for sixth ward provided for.
- 271. Aldermen and Councilmen ineligible to any other municipal office during term for which chosen.

EXTENDING VETO POWER OF THE MAYOR.

SECTION 258. *Be it enacted, etc.,* That from and after the passage of this Act, the Mayor of the City of Atlanta shall have the revision of all ordinances, orders and resolutions passed by the General Council of said city, and the said Mayor shall have four days after the meeting at which the General Council voted, or after the Board of Aldermen voted thereon, in which to file with the Clerk of the Council in writing, his dissent; but, the General Council may, in the manner prescribed by the charter for voting on such questions, pass the said ordinance, order or resolution, notwithstanding the veto, by vote of two-thirds, to be taken by yeas and nays, and entered on the minutes.*

SEC. 259. *Be it further enacted,* That in the absence of the Mayor this power may be exercised by the presiding officer for the time being.

Repeals conflicting laws.

Approved October 3d, 1885.

*See Section 7.

MAYOR SHALL APPROVE OR VETO ALL LEGISLATION.

SECTION 260. Within four days after the passage thereof, the Mayor, or in his absence the Mayor *pro tem.*, shall approve or veto the resolutions, orders, ordinances and other actions of the General Council or Board of Aldermen and Board of Councilmen, except the election of officers.*

Act of September 4th, 1889.

MAYOR PRO TEM. PRESIDES OVER GENERAL COUNCIL;
MAYOR PRESIDES, WHEN.

SECTION 261. That from and after the passage of this Act, the General Council and Board of Aldermen and the Board of Councilmen shall be presided over by the Mayor *pro tem.*, except as hereinafter provided.

At the first meeting in January of each year the Mayor shall preside over the General Council and administer the oath to the newly elected members, and announce the standing committees for the year; and then the General Council shall proceed to the election of a Mayor *pro tem.* The Mayor shall also preside at the sessions of the General Council during the election of officers. The Mayor and Mayor *pro tem.*, when presiding respectively over the General Council, Board of Aldermen and Board of Councilmen, as above provided, shall have no vote except in case of a tie.*

Act of September 4th, 1889.

MAYOR EX-OFFICIO POLICE AND WATER COMMISSIONER.

SECTION 262. *Be it enacted, etc.,* That from and after the passage of this Act, the Mayor of the City of Atlanta shall be *ex-officio* a member of the Board of Police Commissioners and Water Commissioners of said city.

Act of October 5th, 1885

*See Sec. 7

MAYOR EX-OFFICIO MEMBER OF THE BOARD OF HEALTH.

SECTION 263. *Be it further enacted*, That the Mayor of said city shall be *ex-officio* a member of the Board of Health of that city.

Act of September 4th, 1889

PROVISIONAL MAYOR PRO TEM.—WHEN AND HOW CHOSEN.

SECTION 264. *Be it further enacted*, That whenever it shall so happen that both the Mayor and Mayor *pro tem.* shall be absent, or under disability, or in case both of said offices should be for any cause vacant, then, and in that case, the Clerk shall call a special meeting of the General Council for the purpose of considering the same; and if, upon assembling, that body shall, by resolution, declare that said absence, disability or vacancy exists, then they shall immediately proceed to elect another Mayor *pro tem.*, who shall succeed to and exercise all the powers and duties of a ^{Provisional Mayor pro tem.} Chief Executive of said city, until the Mayor or previously chosen Mayor *pro tem.* shall be in condition to resume, and does resume the duties, or until the existing vacancy or vacancies, as the case may be, shall be filled, in the manner pointed out by law.*

Act of December 24th, 1886.

AN ACT PROVIDING FOR FIVE ALDERMEN.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to increase the number of Aldermen of the City of Atlanta from three to five, and provide for the selection of a Mayor *pro tem.*

SECTION 265. That the number of Aldermen at Large for the City of Atlanta shall be increased to five, and that there shall be elected at the next annual election three Aldermen for the city at large, one of whom shall be elected

* See Secs. 12 and 267.

to fill the term expiring in December, 1884, as is now provided by law, and two others to fill terms created by this Act.

Election.

SEC. 266. That the two persons receiving the highest number of votes at said election for Aldermen at Large, shall be elected for three years each, and the one receiving the next highest number shall be elected for two years; and that all subsequent elections, except to fill vacancies, each person elected Alderman at Large shall be elected for three years, and shall be ineligible for the succeeding term.

Ineligible.

Mayor pro tem. elected.

SEC. 267. That the General Council shall, at the second meeting in January of each year, determine by *viva voce* vote which Alderman shall be Mayor *pro tem.* for that year.

That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

Approved December 2nd, 1884.

PROVIDES FOR SIX ALDERMEN FOR THE CITY.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to increase the number of Aldermen of the City of Atlanta from five (5) to six (6), and providing for the election of said additional Alderman

Providing for a sixth alderman.

SECTION 268. *Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same,* That the number of Aldermen at Large for the City of Atlanta shall be increased to six, and that there shall be elected at the next annual election one additional Alderman, provided this Act shall become a law before said annual election occurs, to-wit: in December, 1888; otherwise the election for said additional Alderman shall take place within ten days from the approval of this Act by the Governor, which additional Alderman, when elected, shall hold his office for three years from January 1st, 1889; and in any case in the first election under this Act the ballots for the said additional Alderman shall be separate and

distinct from the ballots cast for any candidate for any other Alderman vacancy in the City of Atlanta, and the ballots in said election shall be expressly cast for the position created by this Act. The next election held under this Act shall be on the regular day for holding the elections for Mayor and General Council of Atlanta in the year 1891, and every three years thereafter, and the term of the first incumbent under this Act shall expire on January 1st, 1892.*

Be it further enacted by the authority aforesaid, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Approved December 3d, 1888.

SIXTH WARD CREATED.

An Act to create a new Ward in the City of Atlanta, known as the Sixth Ward, out of the territory lying north of the railroad, and from the territory now composing the Fourth and Fifth Wards.

SECTION 269. There is hereby created for the City of Atlanta, out of the territory now composing the Fourth and Fifth Wards, a new and additional ward, known as the Sixth Ward, to be bounded as follows: Commencing at the point where Butler street crosses the Georgia Railroad and running along North Butler street to North Avenue, thence along North Avenue to Myrtle street, thence along Myrtle street to the corporation line, thence around the corporation line in a westwardly direction to a street known as Apple street (in Peters' sub-division), thence along Apple street to Williams street, thence along Williams street to West Cain street, thence along West Cain street to James street, thence along James street to Forsyth street, thence along Forsyth street to the Western and Atlantic Railroad.

The Fourth and Fifth Wards of said city shall remain as at present laid off, after taking from each the territory comprised in the limits above specified.

*See Sections 12 and 265.

Council-
men from
6th ward.

SEC. 270. At the next regular municipal election in said city, two members of Council shall be elected from said Ward (the person receiving the highest vote to serve for two years, and the person receiving the next highest vote shall serve for one year), and thereafter alternately as members of Council from other wards are elected. Their term shall begin and end as now provided by the City Charter.

That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.*

Approved September 15, 1883.

An Act to declare Councilmen of towns and cities ineligible during their term of office to any other municipal office in said towns and cities.

SECTION 271. *Be it enacted by the General Assembly of Georgia, and it is hereby enacted by authority of the same,* That from and after the passage of this Act, Councilmen and Aldermen of the towns and cities of this State shall be ineligible to any other municipal office in said towns and cities during the term of office for which they were chosen.

Be it enacted, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Approved November 12th, 1889.

* See Section 11.

CHAPTER XXVII.

CORPORATE LIMITS—EXTENSION OF; OVER PONCE DE LEON SPRING AND VICINITY FOR SPECIAL PURPOSES; OVER L. P. GRANT PARK FOR POLICE PURPOSES; OVER SANITARY LAND FOR POLICE PURPOSES; FOR POLICE PURPOSES OVER LAND ADJACENT TO L. P. GRANT PARK; OVER PIEDMONT PARK FOR POLICE PURPOSES; GENERAL EXTENSION FOR ALL PURPOSES.

SECTION.

272. Corporate limits extended over Ponce de Leon Spring and vicinity.
273. Over Grant Park and sanitary land.

SECTION.

274. Over land adjacent Grant Park.
275. Over Piedmont Park.
276. Corporate limits; general extension of.
277. Over Inman Park and vicinity.

CORPORATE LIMITS—EXTENSION OF—OVER PONCE DE LEON SPRING AND VICINITY FOR SPECIAL PURPOSES.

SECTION 272. *Be it further enacted by the authority aforesaid,* That the corporate limits of the City of Atlanta shall be extended for police purposes, and for the purpose of regulating the retail of ardent spirits, so as to include the territory within the following limits: Commencing on the eastern side of the present city limits, where the Atlanta and Richmond Air-Line Railway leaves it, and running along said railway to a point four hundred feet beyond the Ponce de Leon Spring, thence in a straight line to where the present city limits crosses the Peachtree road and embracing all the territory between the Peachtree road, this said line, and the said railway: *Provided,* that property embraced in this exclusion shall not be subject to city tax.

Repeals conflicting laws.*

Approved February 27th, 1877.

Repealing
clause.

* See Secs. 2 and 26. Also Secs. 244 and 245.

EXTENDING THE CORPORATE LIMITS OVER GRANT PARK
AND SANITARY LANDS.

SECTION 273. *Be it enacted, etc.,* That the corporate limits of the City of Atlanta are hereby extended so as to embrace for police purposes that tract or parcel of land known and designated as L. P. Grant Park, being one hundred acres of land lot No. 43, in the 14th district of Fulton county, and fifty acres of land in land lot No. 114, in the 14th district of Fulton county, owned by said City of Atlanta, and used for sanitary purposes; and the Mayor and General Council of said city are hereby empowered to pass such ordinances for the preservation of peace and good order, and for the protection of such property within said limits as may seem to them proper. That the Mayor and General Council of Atlanta be and are hereby empowered to regulate and control under such ordinances as they may adopt, the sale of ardent spirits, and all kinds of merchandise and refreshments, within the limits of said L. P. Grant Park, for two hundred yards in either direction from said limits.

Act of September 14th, 1885.

SEC. 274. *Be it further enacted,* That the territory in Fulton county, said State, outside of the present corporate limits of said city, adjacent to L. P. Grant Park, and for one mile in each and every direction from said Park, is hereby incorporated under the jurisdiction of said city.

Act of September 4th, 1889.

POLICE POWER OVER PIEDMONT PARK.

An Act to extend the corporate limits of the City of Atlanta over Piedmont Park for police purposes.

Piedmont
Park em-
braced in
limits for
police pur-
poses.

SECTION 275. *Be it enacted by the General Assembly of the State of Georgia, and it is hereby enacted by the authority of the same,* That the corporate limits are hereby extended so as to embrace for police purposes that tract or parcel of land known and designated as Piedmont Park, being one hundred and eighty-three acres of land lots 54 and 55, in

the 17th district of Fulton county, owned by the Gentlemen's Driving Club, and used for park purposes, and the Mayor and General Council of said city are hereby empowered to pass such ordinances for the preservation of peace and good order, and for the protection of property within said limits, as may seem to them proper. ^{Ordinances, etc.}

Be it further enacted, That all laws or parts of laws in conflict herewith be, and the same are hereby repealed.

Approved September 13th, 1887.

CORPORATE LIMITS ; GENERAL EXTENSION FOR ALL PURPOSES AND JURISDICTION.

SECTION 276. *Be it further enacted*, That the corporate limits of said city are hereby extended for all purposes and jurisdiction of said city, over and to embrace all the territory lying within one-fourth of a mile of the present corporate limits, in each and every direction from the present corporate line, so as to hereby provide that the corporate limits of said city shall extend one mile and three-fourths in each and every direction from the present center of the city. But this extension of one quarter of a mile shall not apply to any part of the incorporated town of West End, which shall vote, as a whole, on the question of becoming incorporated as a whole, in said City of Atlanta.

The sale of liquor or beer or other intoxicating drinks is hereby prohibited in any part of the limits herein provided to be included in the corporate limits of Atlanta.

Nothing in this Act shall have the effect or operate to repeal the incorporation for police purposes of any territory not embraced in the corporate limits of said city as extended by this Act.

SEC. 277. *Be it further enacted by the authority aforesaid*, That, in addition to the territory hereinbefore mentioned, the said limits of the city of Atlanta shall be extended along the track of the Georgia Railroad, to the line divid-

ing the property formerly owned by Mrs. R. M. Clark and now owned by the East Atlanta Land Company, from the place owned by Mrs. Ed. Holland, and thence northwardly along said line, along the property of the East Atlanta Land Company, and thence westwardly along the line of said company, back to the present limits of the City of Atlanta.*

Act of September 4th, 1889.

CHAPTER XXVIII.

FIRE ESCAPES — MAYOR AND GENERAL COUNCIL MAY REQUIRE AND REGULATE BY ORDINANCE, EGRESS FROM BUILDINGS—MEANS TO BE PROVIDED FOR.

SECTION.

- 278. Authority to require and make regulations as to fire escapes.
- 279. Means of egress from certain buildings to be provided.
- 280. Jurisdiction of city with respect to.

SECTION.

- 281. May be made to apply, how far.
- 282. Law of force since January 1st, 1890.
- 283. Penalties for non-compliance.

FIRE ESCAPES.

SECTION 278. *Be it further enacted*, That the Mayor and General Council of the City of Atlanta are hereby authorized and empowered whenever, in their judgment, the same is necessary for the safety and protection of human life to require the owner, agent, lessee or tenant in possession of any building in said city, to place thereon fire escapes of such character and material as may be by said Mayor and General Council deemed requisite. After notice to place fire escapes on any building, and failure within the time specified to place the same, the owner, agent, lessee or tenant in possession, who shall have been served with such notice, shall be subject to a fine or imprisonment, or both, as provided by the charter of said city and ordinance passed in pursuance thereof. Said Mayor and General Council shall have power to prescribe by ordinance for the regula-

* See with this chapter Sec. 2.

tion of the placing of fire escapes on buildings in said city, requiring the same, as to notice, time within which to place the same after notice, and otherwise.

Act of September 4th, 1889.

GENERAL LAW PROVIDING FOR FIRE ESCAPES OR MEANS
OF EGRESS.

SECTION 279. *Be it enacted by the General Assembly of Georgia,* That owners of every building more than two stories in height, not including the basement, used in the third or higher stories, in whole or in part, as factory or workshop, shall provide more than one way of egress from each story of said building, above the second story, by stairways, on the inside or outside of said building, and such stairways shall be as nearly as may be practicable, at opposite ends of each story and so constructed that in case of fire, the ground can be readily reached from the third and higher stories.

Stairways on the outside of said buildings shall have suitable railed landings at each story above the first, and shall connect with each of said stories by doors or windows opening outwardly, and such doors, windows and landing, shall be kept at all times clear of obstruction. All the main doors of such buildings, both inside and outside, shall open outwardly, and each story shall be amply supplied with means of extinguishing fires.

SEC. 280. *Be it further enacted,* That the municipal authorities of the town or city, where such building is situated, or the Ordinary of the county, if the building is situated outside of any town or city, shall require the Fire Marshal or chief officer of the fire department, and if there is no Fire Marshal nor chief fireman, then some other suitable official, to examine such buildings at least once a year, and report in writing to said municipal authorities, or said Ordinary, that the requirements of the first section of this Act have or have not been complied with. If not com-

plied with, the municipal authorities or the Ordinary of the county, as the case may be, shall notify in writing the owner of such building, to provide needful alterations or additions.

SEC. 281. *Be it further enacted*, That the municipal authorities of any town or city in this State, may by ordinance provide that the provisions of this Act shall apply to all buildings not used as private residences, three or more stories in height, within their limits.

SEC. 282. *Be it further enacted*, That this Act shall go into operation on the first day of January, 1890, and that within six months from that date, the owners of buildings referred to in this Act, shall make all alterations or additions necessary to comply with the requirements of this Act, and after the first day of July, 1890, the examinations shall be made as required by the second section of this Act, and the reports of such examinations shall be made to the authorities designated, by or before the first day of January, 1891, and thereafter the examinations and reports shall be made during the month of December in each year, commencing with December, 1891.

SEC. 283. *Be it further enacted*, That owners of buildings referred to in this Act, who fail to comply with the requirements of the first section of this Act, within the time designated in the fourth section, or having received written notice from the designated authorities, shall refuse or neglect to make the alterations specified in said written notice, shall be guilty of a misdemeanor, and in the first case, shall be liable to a fine not less than twenty-five nor more than one hundred dollars, but in the second case, after having received written notice, shall be liable to a fine of not less than twenty-five nor more than one hundred dollars for each month that said refusal or neglect continues, commencing thirty days from the date when said written notice has been received by said owner.

The next section repeals conflicting laws.

Approved Nov 11th, 1889.

CHAPTER XXIX.

LICENSE FOR RETAILING LAGER BEER OR OTHER FERMENTED DRINKS; AUTHORITY TO REGULATE THE SALE OF LIQUORS AT WHOLESALE; BUILDING INSPECTORS; SUPERVISION OF CEMETERIES; EXAMINATIONS, ETC., AUTHORIZED; SALARIES OF CERTAIN OFFICERS FIXED, WHEN.

SECTION.

- 284. License for lager beer, etc.
- 285. Regulation of wholesale liquor selling.
- 286. Supervision over cemeteries contiguous to city.

SECTION.

- 287. Summary execution of recommendations of building inspectors.
- 288. Examinations authorized; witnesses and papers.
- 289. Salaries of certain officers may be fixed, when.

LICENSE FOR SELLING BEER AT RETAIL; FOR OTHER FERMENTED DRINKS.

SECTION 284. *Be it further enacted*, That section twenty-nine (29) of an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, be, and the same is hereby amended, by striking therefrom where they occur in said section the words, "one hundred dollars," and by inserting in lieu or place of said stricken words, the words following, to-wit: "Five hundred dollars," so as to hereby authorize the Mayor and General Council of said city to require of the owner or keeper of each house or saloon for selling lager beer and other, or lager beer or other fermented drinks at retail, for license, a sum not to exceed five hundred dollars per year.*

Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Approved December 15th, 1888.

*See also Section 29 enlarged by above.

WHOLESALE LIQUOR TRADE REGULATED.

SECTION 285. *Be it further enacted*, That the Mayor and General Council of said city shall have the power and authority to regulate the sale of liquors at wholesale in said city.†

Act of September 4, 1889..

CEMETERIES—SUPERVISION OF.

SECTION 286. *Be it further enacted*, That the Mayor and General Council of said city shall have power to exercise reasonable supervision and police control over all cemeteries contiguous to the city, and used by the citizens for interment, whether located within the city limits or not, so as to allow no burial within the same without a permit from said city authorities.

Supervisi'n
over con-
tiguous
cemeteries.

Act of December 24th, 1886.

SEC. 287. *Be it further enacted by the authority of the same*, That the report of the Building Inspectors shall be made to the Mayor, and the Mayor shall have full power and authority to execute in a summary manner the recommendations of said inspectors, or a majority of them, at the expense of the owner of the building or wall, or the owner of the lot upon which the same may be located, after giving the owner such notice as may seem reasonable in the discretion of the Mayor, if notice can be served upon him; such expense to be collected by execution to be issued by the Clerk of the Council.*

Act of September 4th, 1889.

†As to retail regulation see Section 27.

* On same subject see Secs. 93 to 95.

EXAMINATIONS AUTHORIZED; ATTENDANCE OF WITNESSES;
PRODUCTION OF PAPERS.

SECTION 288. *Be it enacted by the General Assembly of the State of Georgia,* That the City Government of the City of Atlanta shall be authorized and empowered, through a committee of the General Council or of any of the Boards operating under the City Government, or committee of the same, to institute, in the discretion of the General Council, whenever necessary, any examination or examinations into the working and business of any of the offices, or conduct of its officers in any department of the city's business, or of the General Council itself, or of any office under the city, and that the board or committee conducting such examination shall have power to send for persons and papers, and to compel attendance of persons summoned; to swear witnesses, compel the production of papers and books, and all disclosures pertinent to such investigation.*

Examina-
tions au-
thorized.

May com-
pel attend-
ance and
swear wit-
nesses.

Send for
papers. etc

Act of December 24th, 1886.

SALARIES OF CERTAIN OFFICERS—FIXED WHEN.

SECTION 289. That the Mayor and General Council of said city shall have full power and authority to fix in December of each year the compensation for the next year of the members of the Board of Water Commissioners, Board of Health, Board of Police Commissioners, Board of Commissioners of Streets and Sewers, and the Assistant Tax Receiver and Assessor, and the compensation thus fixed shall not be changed during the year for which it is so fixed.†

May fix
compensa-
tion of
certain
officers.

Act of September 18th, 1883.

* See Section 99 as to attendance of witnesses on Mayor's Court.

† See Sections 81, 67, 299, 74, 57, 187.

CHAPTER XXX.

RECORDER'S COURT—FORFEITURE OF BONDS—COMMITMENT FOR STATE OFFENSES; TRIAL OF NUISANCES IN; POLICE COMMISSIONERS AND ELECTION COMMISSIONERS; MARSHAL ELIGIBLE FOR RE-ELECTION; ORDINANCES, WHO ADOPTED.

SECTION.

- 290. Title.
- 291. Forfeiture and collection of appearance bonds.
- 292. Municipal courts may commit for State offenses.
- 293. Jurisdiction of nuisances.

SECTION.

- 294. Police Commissioners—how elected.
- 295. Election Commissioners may be paid for their services.
- 296. Marshal is eligible for re-election.
- 298. Ordinances, how adopted.

RECORDER'S COURT—FORFEITURE OF BONDS—COMMITTING FOR STATE OFFENSES.

SECTION 290. An Act to authorize municipal corporations in this State to provide by ordinance for the forfeiture and collection of appearance bonds, and to authorize the officers presiding in any municipal court to bind over or commit to jail for violations of State laws, and for other purposes.

Municipal corporation may provide for forfeiture and collection of appearance bonds.

SEC. 291. *The General Assembly of the State of Georgia do enact*, That any municipal corporation in this State shall have full power and authority to provide by ordinance for the forfeiture of bonds given by offenders for their appearance before municipal courts, and to fully provide for the collection of the same from the principal and sureties to such bonds by judgment, execution and sale.*

Municipal courts may commit offenders against criminal law of State.

SEC. 292. Any Mayor, Recorder, or other proper officer presiding in any municipal court in this State, shall have authority to bind over, or commit to jail, offenders against any criminal law of this State, whenever in the course of an investigation before such officer, a proper case therefor shall be made out by the evidence.

Repeals conflicting laws.

Approved September 28th, 1881.

*See Sec. 99.

TRIAL OF NUISANCES—RECORDER'S COURT.

SECTION 293. *Be it further enacted*, That the jurisdiction now vested in the Mayor and General Council of said city, under and by the laws of this State as contained in the Code of Georgia, of 1882, in sections 4094 to 4100 inclusive, in respect to the trial and abatement of nuisances as set forth in said Code and sections, be and the same is hereby devolved upon and vested in the Recorder's or Mayor's Court of said city. Said Recorder's or Mayor's Court shall have the same jurisdiction, power and duty as to the trial and abatement of said nuisances as the Mayor and General Council of said city has heretofore had, and said Mayor and General Council are hereby relieved of jurisdiction and duty to try, hear or abate such nuisances, *provided and except* that nothing in this Act contained shall divest the Mayor and General Council or Board of Health of said city of jurisdiction as to nuisances affecting health as now provided by law.

Act of September 4th, 1889.

POLICE COMMISSIONERS AND ELECTION COMMISSIONERS.

SECTION 294. An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 27th, 1875, is hereby amended by striking from the second section thereof the words "two-thirds," and by inserting in lieu thereof "a majority," so that hereafter Police Commissioners of said city shall be elected by a majority vote instead of a two-thirds vote of the Mayor and General Council of said city.†

SEC. 295. Said Mayor and General Council may pay Election Commissioners reasonable compensation for their services.|| *

Act September 3d, 1881.

* See Section 21.

MARSHAL ELIGIBLE FOR RE-ELECTION.

An Act to amend an Act entitled an Act to establish a new Charter for the City of Atlanta, approved February 28th, 1874, so as to provide that the Marshal of said city shall be eligible for re-election.

SECTION 296. That from and after the passage of this Act, the above recited Act be, and the same is hereby, amended, by striking out in the one hundred and thirty-eighth section of said Act, in the seventeenth line of said section, the words, "and shall be ineligible for the succeeding term," so that said section, when so amended, shall read as follows: There shall be elected by the Mayor and General Council, at the same time the Clerk is elected, a Marshal, who shall be elected and hold his office as provided in the twentieth section of this Act, on the subject of elections by the Mayor and General Council, unless removed for cause, to be judged of by the Mayor and General Council. He shall be separate and distinct from the police force of the city. It shall be his duty to collect or levy *fi. fas.* for taxes, and *fi. fas.* for fines, and advertise and sell property so levied on, and make titles to purchasers and put them in possession of the property so sold at sales under laws governing the said Mayor and General Council, under the same rules and regulations that govern the Sheriff and deputies at sheriff's sales. He shall give bond to said city, with good security, for the faithful discharge of his duties, and shall have such compensation and perquisites as the General Council shall prescribe—which compensation shall not be changed during his term of office; and shall do and perform such other services as the Mayor and General Council shall prescribe by ordinance.

Marshal
eligible to
re-election.

May be
removed.

Duties of.

Must give
bond.

Compensa-
tion to be
fixed.

That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed.*

Approved December 18th, 1884.

*See Sec. 86.

ORDINANCES ADOPTED—HOW.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to regulate the manner in which ordinances may be adopted, and for other purposes.

SECTION 297. *Be it enacted by the General Assembly of the State of Georgia*, That an Act to establish a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, be, and the same are hereby amended as follows, to-wit:

SEC. 298. All ordinances requiring action by the Mayor and General Council in joint session shall undergo one reading, each at two different regular, or special, or called meetings, or at one regular and one called meeting, before adoption, except that by a two-thirds vote of the members present, an ordinance may be read twice at the same regular, called or special meeting, and adopted. All ordinances requiring action by the Mayor and Council and Board of Aldermen separately, shall undergo one reading each, at two different regular or special or called meetings of the Mayor and Council, or at one regular and one called meeting before adoption, except that by a two-thirds vote of the members thereof present, an ordinance may be read twice at the same regular, called or special meeting, and adopted. An ordinance requiring separate action and concurrence by the Board of Aldermen shall undergo such reading only in said Board as said Board may by rule prescribe.*

Be it further enacted, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Approved November 11, 1889.

* See Sec. 13.

CHAPTER XXXI.

BOARD OF HEALTH; MEMBERS OF AND HOW ELECTED; COMPULSORY VACCINATION AUTHORIZED; REMOVAL FROM WARD VACATES CERTAIN OFFICES.

SECTION.

299. Five members of Board of Health; elected when; terms.

300. Need not be elected one from each ward.

301. Ordinances for carrying into effect.

SECTION.

302. Vaccination may be made compulsory and frequent appropriations for sanitary department.

303. Removal from ward vacates office, when and in what cases.

BOARD OF HEALTH; MEMBERS OF AND HOW ELECTED.

Board of
Health.

SECTION 299. Said Mayor and General Council shall, at the first or subsequent meeting in January, 1882, elect a Board of Health for said city, consisting of five members, one of whom shall be elected for one (1) year, two (2) for two (2) years, and two (2) for three (3) years.†

SEC. 300. Section sixty-seven (67) of said Act of 1874, is hereby amended so that members of the Board of Health of said city need not to be elected one from each ward, as therein provided.‡

SEC. 301. Said Mayor and General Council shall have full power and authority to pass such ordinances as may be necessary and proper to carry the provisions of this Act into effect, and all laws and parts of laws in conflict with the above Act are hereby repealed.*

Approved September 3d, 1881.

SEC. 301 (a). *Be it further enacted*, That from and after the passage of this Act, the Chairman of the Committee on Sanitary Affairs of the General Council of said city shall be *ex-officio* a member of the Board of Health of said city, in addition to the five members of said Board as now provided by law.

All laws and parts of laws in conflict with this Act are hereby repealed.

Act of December, 1890.

†Section 289 as to fixing compensation of members of.

‡See Sections 67 to 71 as to powers and duties.

*The Mayor is ex-officio a member of the Board of Health. See Section 263.

SEC. 302. That the said Mayor and General Council shall have full power and authority to provide by ordinance for the frequent and compulsory vaccination of all persons in said city by suitable qualified physicians to be selected by the Board of Health of said city, and to provide and enforce suitable and adequate penalties against any and all persons who shall refuse to submit to vaccination in accordance with the provisions or requirements of such ordinance.

May com-
pel vacci-
nation.

The Mayor and General Council of said city, at the time the annual appropriations are made in May of each year, shall set apart and appropriate such amount as the probable income of the city will authorize for sanitary purposes, the same to be expended by the Board of Health of said city for such purposes.*

Sanitary
assessment.

Act of September 3d, 1881.

REMOVAL FROM WARD VACATES OFFICE.

An Act to amend an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, so as to provide that the removal of any officer from the ward he was elected to represent or serve shall operate as a vacation of said office, and for other purposes.

SECTION 303. *Be it enacted by the General Assembly of the State of Georgia*, That from and after the passage of this Act, an Act establishing a new Charter for the City of Atlanta, approved February 28th, 1874, and the several Acts amendatory thereof, be and the same are hereby amended so as to hereby provide that in any and all cases in which any person has been heretofore, or may be hereafter, elected by popular vote, or be elected or appointed by the Mayor and General Council of said City of Atlanta, or by any Board, Commissioner or Department of said City Government, to any office or official service for or to serve or represent any ward of said city, and any such person so elected or appointed, as aforesaid, has heretofore,

Removal
from ward
vacates
office.

*For authority to assess lots for sanitary purposes, see Section 157.

or shall hereafter, remove from the ward from or for which he was so elected, or appointed to represent or serve, the fact or act of such removal shall thereby create a vacancy in such office or official service, and such vacancy shall be filled as in other cases of vacancy in office in said city.

Be it further enacted, That all laws in conflict with this Act be, and the same are hereby repealed.

Approved December 24th, 1888.

PART II.--ORDINANCES.

PART II.—ORDINANCES.

CHAPTER I.

CORPORATE SEAL.

SECTION 304. The coat of arms, or corporate seal, of Atlanta shall be as follows:

It shall be of silver and the size of two and a quarter inches in diameter.

Corporate
seal of the
city.

Sept. 19, '87

The device on the front side shall be a picture of the fabled Phoenix, rising from its ashes, with the inscription, "Resurgen 1847-1865," written, cut or engraved thereon, signifying the "rising, ever rising more brightly," and the date a charter was first granted the city and its rehabilitation after the destruction by the Federal army in 1864.

The seal shall remain in the office of the City Clerk and not be affixed to any instrument of writing except by order of the Mayor.

CHAPTER II.

BAIL.

SECTION.

- 305. Amount of bond.
- 306. Failure to give bond.
- 307. Bonds forfeited.
- 308. Service of rule.

SECTION.

- 309. Judgment; how entered; execution and collection.
- 310. Surrender of principal.

SECTION 305. The Chief, or any officer or member of police, Mayor, or any member of the General Council, may take bond with security, or bond without security, at discretion, payable to the City of Atlanta, in the sum of not exceeding two hundred dollars, for the appearance of any party or parties accused or suspected of being guilty of a

Amount of
bond.

violation of any ordinance or ordinances of the City of Atlanta, to stand to and abide his, her, or their trials before the Recorder's Court; and also of witnesses to testify in any case or cases pending, or about to be commenced in said court.

Failure to
give bond.

SEC. 306. If either party or parties, or witness or witnesses, shall fail or refuse to give the bond and security, or bond, as required of them, or either of them, such person so failing or refusing may be confined in the station-house, or common jail of the county of Fulton, or be kept under a guard, so as to be present to abide the trial or trials, or to testify, as the case may be.

Bonds for-
feited.

SEC. 307. All bail taken under this ordinance shall be special bail, and the power of the security over the principal shall be the same as in special bail. Upon the failure to appear, of any principal, in any bond or recognizance given by a person charged with a violation of any ordinance of the City of Atlanta, or by a witness, to appear and testify, the Recorder, Mayor, or Mayor *pro tem.* presiding, shall pass a rule requiring the principal and sureties on such bond to show cause on any day therein named, not to be less than ten days from the passage of such rule, why they should not be required to pay the amount of such bond.

Service of
rule.

April 7th.
1882.

Judgment,
how en-
tered.

Execution
and collec-
tion.

Surrender
of princi-
pal.

SEC. 308. A copy of said rule shall be served upon the principal and security or securities by any officer or member of the police force, if to be found in the city, at least five days before the time therein set for hearing the same.

SEC. 309. If no sufficient cause is shown, the Recorder, Mayor, or Mayor *pro tem.* presiding, shall proceed to enter judgment against such principal and sureties for the amount of said bond, and the Clerk of Council shall issue execution for the amount of such judgment and place the same in the hands of the City Marshal, who shall proceed to collect the same by levy and sale as in case of tax executions.

SEC. 310. Any surety upon a bail-bond of any person or persons charged with a violation of a city ordinance may surrender his, her or their principal at any time to the offi-

cer on duty at the station-house, who shall confine such principal until discharged by order of the court or by giving other and good security. The delivery of the principal as aforesaid, shall discharge the surety or sureties of all further liability upon such bond; *Provided*, that such delivery shall be before any judgment of forfeiture upon said bond shall have been entered.

CHAPTER III.

BILL POSTERS.

SECTION.

311. Bill posters must obtain license.
312. Shall not post on lamp-posts or fences, etc.

SECTION.

313. Obscene pictures, not post.
314. Punishment for violation.
315. Permits to post.

SECTION 311. All persons engaged in the business of bill posting, card tacking, or the distribution of bills, cards, circulars, etc., in the City of Atlanta, and all persons who may come into the city for that purpose and engage therein, shall be required to pay such registration tax as the Mayor and General Council shall from year to year determine, and persons who engage in such business without registering their business and paying such tax and Clerk's fee shall be fined in a sum not exceeding \$100.00, or be imprisoned not to exceed thirty days, in the discretion of the Recorder, Mayor or Mayor *pro tem*.
Must get license.
Nov. 19, '88

SEC. 312. Any bill poster or other person or persons who shall paste, paint or place upon Broad street bridge or any other bridge, or any lamp post or corner post or telegraph or telephone post in said city, or on any building or fence or upon any other public or private property in said city, without the consent of the owner thereof, any handbills, pictures or advertisements, shall, on conviction, pay a fine of not more than one hundred dollars or be imprisoned not more than thirty days, in the discretion of the court.
Shall not post bills on lamp-posts or fences.
May 3d. 1880.

SEC. 313. No person shall exhibit, expose or paste upon any fence, building, wall, post, bill-board or other
Posting ob scene pictures.

place in the City of Atlanta, and exposed to public view, any representation, picture, design or advertisement of any description of an indecent, immoral or immodest character, calculated to debauch the public or shock the sense of decency or propriety.

SECT. 314. Any person violating the provisions of this ordinance, on conviction thereof in the Mayor's or Recorder's Court, before the Mayor, Mayor *pro tem.*, any three members of Council or the Recorder, shall pay a fine of not exceeding one hundred dollars, or by confinement in the city chain-gang not exceeding thirty days.

SECT. 315. That from and after the passage of this ordinance no fence or other structure for the purpose of posting bills or circulars, shall be erected within the city without first obtaining a permit from the Mayor and General Council.

SECT. 316. That all ordinances in conflict with the foregoing section is hereby repealed.

CHAPTER*IV.

BIRTHS AND DEATHS.

SECTION.

317. Clerks shall keep record of births and deaths.

318. Physicians must report births.

319. Book to be kept.

320. Physicians must furnish certificate of deaths.

SECTION.

321. Certificate to be handed to Sexton.

322. Non-resident.

323. Sexton's duty.

324. Penalty.

SECTION 317. From and after the passage of this ordinance, the City Clerk shall keep in his office a book for the registration of all births occurring in the City of Atlanta.

SECT. 318. All practicing physicians and midwives in the City of Atlanta shall make a monthly report to the City Clerk of all births occurring in their practice, stating names of parents, sex, and color of child. The Clerk shall furnish to said physicians and midwives blanks for said report.

SEC. 319. The Board of Health shall cause to be kept, at some convenient place, a book for the registration of all deaths, as hereafter provided, occurring in the City of Atlanta.

Registry of
deaths to
be kept.

SEC. 320. In all cases of death, occurring in the City of Atlanta, the attending physician shall give a certificate, according to a blank form prescribed and furnished by the Board of Health, stating name, age, sex, color, nativity, occupation, condition, (married, single, or widowed), residence, and date, and cause of death of such deceased person to the family, or person in charge of the dead body, and, in case of sudden death, or any death where there is no attending physician, the City Physician in the ward where the death occurs, when requested, shall, after satisfactory investigation, or any other physician who has investigated the facts, may, when applied to, give such certificate; and the Coroner, or other officer acting in his place, may likewise give such certificate, in cases coming under his notice. If any person authorized to issue such certificate cannot state the cause of death, he must certify that it is unknown. This certificate shall be filed at the office of the Board of Health or left at the residence of the deceased within eighteen hours after the death occurs.

Certificate
of death by
whom giv-
en.

Jan. 20, '90.

Mar. 6, '90.

SEC. 321. When such certificate is presented to the Board of Health, or to the person designated by them, a permit shall be issued for the burial, or removal of such deceased person, and the certificate shall be filed and the facts therein set forth shall be duly recorded, and the fact of the issue of such a permit shall be reported to the Comptroller, stating whether child or adult.

Permit for
burial or
removal
issued on
certificate.

SEC. 322. If the body of any person who has died without the limits of the City of Atlanta, shall be brought into this city for burial, a certificate in due form shall be presented, and a permit shall be issued as provided in cases of persons who die within the city, but the record shall show that such person is a non-resident, and the death shall not be charged to the mortality of the city, unless said deceased

Certificates
and per-
mits for
death of
non-resi-
dent.

person shall be a resident of this city, death having occurred during a temporary absence only from home.

No burial or removal to be made without a permit. SEC. 323. No Sexton or Superintendent, or person in charge of any cemetery under the jurisdiction of the City of Atlanta, shall bury or remove from said city the body of any deceased person without first obtaining such burial permit, and no undertaker or agent of any railroad, or conductor of any railroad train, or agent or employe of any express company, or any other person, shall remove the body of any deceased person who died in said city, or may have been brought into said city for burial beyond the limits thereof, without a permit from the Board of Health, or from a person designated by them.

Penalty. SEC. 324. Any person, whose duty it is to report a birth or death and the cause of a death, under the foregoing sections, and who shall fail to do so, or who shall violate any other provision of the preceding sections, may be summoned to appear or be arrested and taken before the Recorder's Court, and may, on conviction, be fined in a sum not exceeding one hundred dollars, or be imprisoned, not to exceed thirty days, either or both, in the discretion of the court.

See Sec. 320. SEC. 324 (a). The ordinance adopted January 20th, 1890, requiring physicians to file certificate of death with Board of Health is hereby repealed, and the ordinance left to stand as it did prior to the ordinance adopted January 20th, 1890.

CHAPTER V.

BONDS OF THE CITY.

SECTION.

- 325. One hundred thousand dollars authorized.
- 326. Two hundred thousand dollars authorized.
- 327. Declares valid previous issue.
- 328. Air-Line bonds, \$300,000.
- 329. Capitol purchase \$100,000.
- 330. Mayor to deliver.
- 331. One hundred thousand dollars authorized.
- 332. One hundred thousand dollars authorized.
- 333. Redemption bonds, \$18,000.
- 334. Redemption bonds, \$52,000.
- 335. To meet maturing bonds.

SECTION.

- 336. Redemption bonds, \$77,500.
- 337. To meet maturing bonds.
- 338. To meet floating debt, \$385,000.
- 339. How prepared and issued.
- 340. Form of bond.
- 341. Authorizes \$68,500.
- 342. Form and disposition of.
- 343. Old Capitol, \$55,500.
- 344. Prepared and sold—proceeds.
- 345. Redemption, \$52,000.
- 346. Signature of Treasurer to be lithographed on coupons.
- 347-354. Redemption bonds.
- 355-363. New water works bonds.

SECTION 325. The Mayor is hereby authorized to issue, ^{\$100,000 au-} in the name of the Mayor and Council of the City of At- ^{thorized.} lanta, bonds, in convenient amounts (not less than five hundred dollars), not to exceed in the aggregate one hundred thousand dollars, which are to be due as follows: Thirty-three thousand in fifteen years after date, and the balance in twenty years after date, and are to be payable at the National Park Bank, New York City, with interest at the rate of eight per cent. per annum, payable semi-annually at the same place; which bonds shall have attached to them coupons or interest warrants, and be signed by the Mayor and ^{Where pay-} countersigned by the City Treasurer, and have the corpo- ^{able.} rate seal of said Mayor and Council attached to them, and said coupons shall be signed by the City Treasurer. The City Treasurer shall number said bonds and keep a register of them, and return the same to the Clerk of Council, who shall record the same. Said Mayor is hereby authorized to put said bonds, or any of them, on the market and sell them for what he can get for them, and place the proceeds in the ^{How sign-} hands of the City Treasurer. ^{ed.}

SEC. 326. The Mayor is hereby authorized to issue, in the name of the Mayor and Council of the City of Atlanta, ^{\$200,000 au-} bonds in convenient amounts (not less than five hundred ^{thorized.}

Registry.

dollars,) not to exceed in the aggregate two hundred thousand dollars, which are to be due at any time not less than fifteen nor longer than twenty-five years from the dates thereof, in the discretion of said Mayor, and are to be payable at ———, with interest at the rate of eight per cent. per annum, payable semi-annually at the same place, which bonds shall have attached to them coupons, or interest warrants, and be signed by the Mayor and countersigned by the City Treasurer, and have the corporate seal of the said Mayor and Council attached to them, and the said coupons shall be signed by the City Treasurer. The City Treasurer shall number said bonds and keep a registry of the same, and return the same to the Clerk of Council, who shall record the same. Said Mayor and Council are hereby authorized, by resolution, to put said bonds, or any of them, through an agent or otherwise, on the market, and dispose of the same, and place the proceeds in the hands of the City Treasurer. (Another ordinance, similar to the above, was passed on the same day, for the same amount.)

To correct
error in
over issue.

SEC. 327. WHEREAS, The Legislature of the State did, by an Act approved March 12th, 1866, amend the several Acts incorporating the City of Atlanta, by conferring full power and authority on the Mayor and Council of said city to issue and negotiate bonds for certain purposes therein named; and, whereas, the said Mayor and Council did, on the 16th day of March, 1866, under and by virtue of said Act, adopt an ordinance authorizing the Mayor in the name of the Mayor and Council of the City of Atlanta to issue and negotiate bonds, in convenient amounts (not less than five hundred dollars,) not to exceed in the aggregate one hundred thousand dollars, to fall due at different times therein specified; and whereas, by inadvertency the said Mayor and Council, under said ordinance, have issued and negotiated bonds in excess of one hundred thousand dollars, as limited in said ordinance.

Legalizes
issue.

Be it therefore ordained by the Mayor and Council of the City of Atlanta, That all bonds issued and negotiated under

and by virtue of said Act of the Legislature and the ordinances aforesaid, be, and the same are hereby, legalized and declared valid.

SEC. 328. The City of Atlanta subscribes the sum of three hundred thousand dollars in city bonds, bearing seven per cent. interest, to the stock of the Georgia Air-Line Railroad, in lieu of all other subscriptions, at such times and in such sums as may be called for by the directors of said company.

November
11th, 1868.
Resoluti'n,
Air-Line
Railroad.

SEC. 329. The Mayor is hereby authorized and required to issue, in the name of the Mayor and Council of the City of Atlanta, one hundred bonds, of one thousand dollars each, to be due and payable twenty years from the first day of July, 1870, and to bear interest at the rate of seven per cent. per annum, payable semi-annually, on the first day of January and July in every year, at the National Park Bank, in the City of New York, which bonds shall have attached to them coupons or interest warrants, and be signed by the Mayor and countersigned by the City Treasurer, and have the corporate seal of the Mayor and Council attached thereto; the coupons shall also be signed by the City Treasurer, who shall number, register, and return said bonds to the Clerk of Council to be entered on record.

Purchase
of State
Capitol.

August 29,
1870.

SEC. 330. The Mayor is hereby authorized to deliver said bonds to the person authorized to receive the same, in pursuance of the contract of purchase of the State Capitol.

SEC. 331. The Mayor is hereby authorized and required to issue in the name of the Mayor and Council of the City of Atlanta, one hundred bonds, of one thousand dollars each, to be due and payable thirty years from the first day of July, 1871, and to bear interest at the rate of eight per cent. per annum, payable semi-annually, on the first days of January and July in every year, at the National Park Bank, in the City of New York, which bonds shall have attached to them coupons, or interest warrants, and be signed by the Mayor and countersigned by the City Treasurer, and have the corporate seal of the Mayor and Council attached

August
24th, 1871,
\$100,000 au-
thorized.

thereto. The coupons shall also be signed by the City Treasurer, who shall number, register and return said bonds to the Clerk of Council, who will enter the same on record. The Finance Committee are hereby requested to have the bonds executed and placed to best advantage as early as practicable. Issued by Act of the Legislature, approved March 12th, 1886. The above bonds, when issued, are to be applied to the payment of the floating debt.

July 12th,
1872. \$100,
000, au-
thorized.

SEC. 332. That in accordance with the power granted to them in section 87 of the City Charter, the Mayor is hereby required to issue, in the name of the Mayor and Council of the said City of Atlanta, bonds to the amount of one hundred thousand dollars, which shall be due twenty years after date, and payable at the National Park Bank, New York City, or at the City Treasurer's office, in the City of Atlanta, as the Mayor and Finance Committee may determine. Said bonds shall bear interest at the rate of 8 per cent. per annum, payable semi-annually, at the same place, which bonds shall have attached to them coupons or interest warrants, and be signed by the Mayor and countersigned by the City Treasurer, and have the corporate seal of said Mayor and Council attached to them, and said coupons shall be signed by the City Treasurer. The City Treasurer shall number said bonds, and keep a register of them, and return the same to the Clerk of Council, who shall record the same. Said bonds shall be sold under the joint direction of his Honor the Mayor and the Finance Committee, at the best rates they can get, they depositing the proceeds of the same with the City Treasurer, to be used for the purpose of paying off a part of the floating debt of the city. That three thousand dollars (\$3,000) of city bonds be issued and loaned to Hook and Ladder Company No. 1, the same to be secured by mortgage on the truck-house and lot of said company.

SEC. 333. That the Mayor be, and he is hereby, authorized to issue eighteen thousand dollars in 8 per cent. twenty-eight year bonds, to take the place of eighteen thousand dollars outstanding bonds.

SEC. 334. The Finance Committee are hereby authorized and empowered to prepare and have issued fifty-two thousand dollars (\$52,000) of coupon bonds of the City of Atlanta, in sums of one thousand dollars each, said bonds to be signed by the Mayor and Treasurer, and countersigned by the Clerk of Council, who shall affix the seal of the city thereto. Said bonds shall be payable ten years after September 1st, 1875, at the Treasurer's office, in the City of Atlanta, and shall bear 10 per cent. interest per annum, which shall be paid by semi-annual coupons to be attached to each of said bonds; said coupons to be signed by the City Treasurer, and to be payable at the National Park Bank, in New York City, or at the City Treasurer's office in Atlanta. Said bonds to be non-taxable by the city so long as the same are outstanding, and no part of said issue shall be sold for less than par.

SEC. 335. Said bonds are issued to meet maturing and outstanding bonds of the city which will fall due September 1st, 1875, to-wit: One hundred and fifty bonds of five hundred dollars each, issued by virtue of an ordinance passed August 18th, 1865, and the Finance Committee are hereby authorized to sell said bonds, or a sufficiency thereof, to meet said maturing bonds, as early as practicable, and the proceeds of the sale of the bonds authorized by this ordinance shall be used for the purpose of meeting said maturing bonds and no other.

SEC. 336. The Finance Committee are hereby authorized and empowered to prepare and have issued fifty bonds of one thousand dollars each, and fifty-five bonds of five hundred dollars each, of coupon bonds of the City of Atlanta, amounting in all to seventy-seven thousand five hundred dollars, said bonds to be signed by the Mayor and Treasurer and countersigned by the Clerk of Council, who shall affix

\$18,000 8
per cent.
bonds.

\$52,000 10
per cent.
bonds.

To meet
outstand-
ing bonds.

Redemp-
tion bonds
—\$77,500.

the seal of the city thereto. Said bonds shall be payable in twenty years after the first of January, 1877, at the Treasurer's office, in the City of Atlanta, and shall bear eight per cent. interest per annum, which shall be paid by semi-annual coupons to be attached to each of said bonds, and said coupons to be signed by the City Treasurer, and to be payable at the City Treasurer's office in the City of Atlanta. Said bonds to be non-taxable by the city.

To meet
maturing
bonds.

SEC. 337. Said bonds are issued to meet maturing and outstanding bonds of the city which fall due January 1st, 1877, to-wit: 5 Chattahoochee Bridge bonds of \$500.00 each, passed by virtue of an ordinance October 24th, 1856, and 75 Fair Ground bonds, \$1,000.00 each, passed by virtue of an ordinance March 7th, 1870, and the Finance Committee are hereby authorized to sell said bonds to meet said maturing bonds, and the proceeds of the sale of the bonds authorized by this ordinance shall be used for the purpose of said maturing bonds, and no other. Said ordinance being in full conformity with an act passed by the General Assembly of Georgia, February 28th, 1874, and embraced in section 32 of the City Charter of Atlanta, Georgia.

Oct. 13th,
1876.

Sept. 1st,
1879.

SEC. 338. *By virtue of the Act of the General Assembly of Georgia, approved August 22d, 1879, the Mayor and General Council of the City of Atlanta do ordain, That the Finance Committee are hereby instructed to have prepared for issuance bonds of the City of Atlanta to the amount of three hundred and eighty-five thousand dollars (\$385,000), to be of denominations as follows: Two hundred bonds of two hundred and fifty dollars each, making fifty thousand dollars; four hundred and seventy bonds of five hundred dollars each, making two hundred and thirty-five thousand dollars; one hundred bonds of one thousand dollars each, making one hundred thousand dollars.*

Bonds to be
prepared
amounting
to \$385,000.

Denomina-
tions.

Rate of in-
terest.

Said bonds to bear date October 1st, 1879, (which is as soon as the same can be prepared), and shall bear six per cent. interest, payable by semi-annual coupons, except one

coupon to each bond for three months, to-wit: from the 1st day of October, 1879, to 1st day of January, 1880. How payable.

Twenty-five thousand dollars in amount of said bonds shall fall due January 1st, 1886, and an equal amount on the 1st of January of each of the immediately succeeding four years. Bonds—when due.

Forty thousand dollars on January 1st, 1891, and an equal amount on the 1st of January of each of the immediately succeeding three years.

Fifty thousand dollars on the 1st of January, 1895, and fifty thousand dollars January 1st, 1896.

Said bonds shall be non-taxable by the city, and the Mayor and General Council shall provide each year by taxation for the payment of the principal and interest of the said bonds as the same shall fall due. Non-taxable by the city. Payment to be provided for by taxation.

Said bonds shall be signed by the Mayor and Treasurer and countersigned by the Clerk of Council, who shall affix the city seal to each bond, and the said Treasurer and said Clerk shall each keep in their respective offices a complete record of said bonds as signed aforesaid. How signed and sealed.

The name of the City Treasurer shall be lithographed to each coupon. The city shall not sell said bonds, or any portion of them below par. Coupons. Must sell for par.

SEC. 339. After said bonds have been prepared in accordance with the foregoing section, the Finance Committee shall proceed to sell the same, and the proceeds shall be immediately used, as said bonds are sold, in paying off the present floating debt of the city, and for no other purpose whatever. Finance committee shall sell. Proceeds to pay floating debt.

The Finance Committee shall report to each regular meeting of the Council the sale of bonds made up to the date of each report, the date of sale, amount of each special sale, and price at which sold. Report of sales.

The Finance Committee shall cause to be preserved in the Treasurer's office, unsigned, one bond of each denomination for future identification, which bond shall have the One bond of each denomination to be retained.

proper place for signature so punched as to prevent use of the same.

SEC. 340. Said bonds shall have the following form:

STATE OF GEORGIA—CITY OF ATLANTA,

FUNDING BOND.

Form of
bond.

Issued to pay off the floating debt. The City of Atlanta, in the State of Georgia, hereby acknowledges itself bound and indebted to the holder hereof, in the sum of——dollars, for value received, which said city hereby promises to pay, at the National Park Bank, in the City of New York, or at the Treasurer's office, in the City of Atlanta, on the——day of——with interest at the rate of six per cent. per annum, payable on presentation and surrender of semi-annual coupon, and on three months' interest coupons hereto attached, at said bank or Treasurer's office. This is one of the series of bonds issued in pursuance of an ordinance adopted by the Mayor and General Council of the City of Atlanta, September 1st, 1879, in pursuance of, and in conformity to, an Act of the General Assembly, approved August 22d, 1879, which authorizes the City of Atlanta to issue bonds to the amount of three hundred and eighty-five thousand dollars, to fund the floating debt of said city, and is non-taxable by the city. For the payment of the principal and interest of said bonds, the faith and credit of the City of Atlanta is hereby irrevocably pledged. In testimony whereof the Mayor and General Council of the City of Atlanta, have caused this obligation to be signed by the Mayor and Treasurer of said city, and required the Clerk of Council to countersign the same and affix the seal of the city thereto.

Authorized
\$68,500.

SEC. 341. *Be it ordained by the Mayor and General Council of the City of Atlanta*, That the Finance Committee be instructed to have prepared at once sixty-eight thousand five hundred dollars coupon bonds as follows: Sixty-eight bonds of one thousand dollars each, and one bond of five hundred dollars; said bonds to be due thirty years after

date. To bear date July 1, 1881, and due July 1, 1911. Coupons payable semi-annually first of July and first of January, to bear interest at the rate of five (5) per cent. per annum. Bonds and coupons payable in New York, or Treasurer's office in the City of Atlanta, and to be free from all city taxes. Bonds to be signed by the Mayor and Treasurer, and countersigned by the Clerk of Council, affixing thereto the seal of said city.

SEC. 342. The coupons attached to bonds to be signed by the Treasurer of the city. The above bonds to be sold and the proceeds applied to the redemption of the following bonds falling due July 1, 1881, payable at the National Park Bank, New York. Forty-two (42) bonds one thousand dollars each, and fifty-three (53) bonds five hundred dollars each, all dated May 15, 1866, bearing interest at eight per cent., amounting in all to sixty-eight thousand five hundred dollars (\$68,500.)

SEC. 343. By virtue of an Act of the General Assembly, approved September 26th, 1883, the Mayor and General Council of the City of Atlanta do ordain :

SEC. 344. That the Finance Committee are hereby instructed to have prepared for issuance, bonds of the City of Atlanta, to-wit : One hundred and eleven bonds of the denomination of five hundred dollars each, making fifty-five thousand five hundred dollars. Said bonds shall bear date, January 1, 1884, and shall bear six per cent. interest, payable by semi-annual coupons, viz : First of January and July of each year, and shall be due thirty years from date. Said bonds shall be non-taxable by the city, and the Mayor and General Council shall provide by taxation for the payment of the interest coupons, and for the payment of the principal of the said bonds when the same shall mature. Said bonds shall be signed by the Mayor and Treasurer, and countersigned by the Clerk of Council, who shall affix the seal of the city to each bond, and the said Treasurer and said Clerk shall keep in their offices a complete record of said bonds as signed. The name of the City Treasurer shall be litho-

Form and
disposition
of.

City Bonds.
for \$55,500.

Date.

Due.

How sign-
ed.

graphed to each coupon, and said coupons shall be made payable in Atlanta and New York. Said bonds or any portion of them shall not be sold below par. The said bonds shall be of such form as the Finance Committee may direct, and shall be made payable in Atlanta or New York.

Where payable.

To sell.

Oct. 15, '83.

To be paid the State of Georgia on account New Capitol.

SEC. 345. After said bonds have been prepared in accordance with the foregoing section, the Finance Committee shall proceed to sell the same, and the proceeds of such sale shall be immediately paid to the proper representative of the State of Georgia, in compliance with the agreement heretofore made by the City of Atlanta to pay the said State of Georgia the value of the old capitol buildings at Milledgeville, or be used in replacing bonds already appointed for such, in the event said contract should have to be complied with before the above bonds can be sold, and for no other purpose whatever.

\$52,000. redemption bonds.

July 6, '85.

SEC. 346. *Be it ordained by the Mayor and General Council of the City of Atlanta,* That the Finance Committee be instructed to have prepared at once fifty-two thousand dollars of coupon bonds, as follows: Fifty-two bonds of one thousand dollars each, or that amount in such other denominations as the committee may think best; said bonds to be due in thirty years after date, and to bear date of September 1st, 1885, and due September 1st, 1915. The coupons payable semi-annually, 1st of July and 1st of January, to bear interest at not more than six per cent. per annum. Said bonds and coupons to be payable in New York City, or at the Treasurer's office in the City of Atlanta, and to be free from city taxes. Said bonds to be signed by the Mayor and Treasurer and countersigned by the Clerk of Council, affixing thereto the seal of said city. The coupons attached to said bonds to be signed by the Treasurer of said city. Said bonds are to be sold and the proceeds applied to the redemption of fifty-two bonds of said city for one thousand dollars each, falling due September 1st, 1885, and dated September 1st, 1875, bearing interest at the rate of ten per cent. per annum.

July 6, '85.

SEC. 347. *Be it ordained by the Mayor and General Council*, That the ordinance adopted by this body July 6th instant, authorizing the issuance of fifty-two thousand dollars redemption bonds, be amended in the following particular: That the clause in said ordinance requiring the coupons to said bonds to be signed by the Treasurer be changed so as to require that said coupons have the signature of the City Treasurer lithographed thereon instead of his signing same. Treasurer's name to be lithographed to coupons to redemption bonds. July 20, '85.

SEC. 348. *Be it ordained by the Mayor and General Council of the City of Atlanta*, That the Finance Committee be instructed to have prepared one hundred and sixteen thousand five hundred dollars of coupon bonds, as follows: Eighty-nine bonds of one thousand dollars each, and fifty-five bonds of five hundred dollars each, or such other denominations as the committee may think best; said bonds to be due in thirty years after date, and to bear date of July 1st, 1886, and due July 1st, 1916. The coupons payable semi-annually, 1st July and 1st January, for the interest at not more than five per cent. per annum. Said bonds and coupons to be payable in New York City, or at the Treasurer's office in the City of Atlanta, and to be free from city taxes. Said bonds to be signed by the Mayor and Treasurer and countersigned by the Clerk of Council, affixing thereto the seal of the city. The coupons attached to said bonds to have the name of the Treasurer lithographed thereon. Said bonds to be sold under the direction of the Finance Committee, and the proceeds applied to the redemption of 89 bonds of \$1,000.00 each, and 55 bonds of \$500.00 each, aggregating \$116,500 (one hundred and sixteen thousand five hundred dollars) falling due July 1st, 1886, and dated May 15th, 1866, bearing interest at the rate of eight per cent. per annum. \$116,500 coupon bonds. Feb. 1, '86. Redemption.

SEC. 349. *Be it ordained by the Mayor and General Council of the City of Atlanta*, That the Finance Committee be instructed to have prepared twenty-five thousand dollars of coupon bonds, as follows: Twenty-five bonds of one thousand dollars each; said bonds to be due and payable in thirty \$25,000 redemption bonds. Dec. 28, '86.

years after date, and to bear date January 1st, 1887, and due January 1st, 1917, the coupons to be payable semi-annually on the 1st January and 1st July for the interest on same at $(4\frac{1}{2})$ four and one-half per cent. per annum. Said bonds and coupons to be payable in New York City, or at the Treasurer's office in the City of Atlanta, and to be free from city taxes. Said bonds to be signed by the Mayor and Treasurer, and countersigned by the Clerk of Council, affixing thereto the seal of the city. The coupons attached to said bonds to have the name of the Treasurer lithographed thereon. Said bonds to be sold under the direction of the Finance Committee, and the proceeds applied to the redemption of one hundred bonds of two hundred and fifty dollars each, aggregating twenty-five thousand dollars, known as funding bonds, falling due January 1st, 1887, and dated October 1st, 1879, bearing interest at the rate of six (6) per cent. per annum. Said bonds to be sold at not less than par.

\$25,000 re-
demption
bonds.

Nov. 7, '87.

SEC. 350. *Be it ordained by the Mayor and General Council of the City of Atlanta*, That the Finance Committee be instructed to have prepared twenty-five thousand dollars of coupon bonds as follows: Fifty bonds of five hundred dollars each; said bonds to be due and payable in thirty years after date and to bear date January 1st, 1888, and due January 1st, 1918; the coupons to be payable semi-annually on the 1st July and January for interest on same at $(4\frac{1}{2})$ four and one-half per cent. per annum. Said bonds and coupons to be payable in New York, or at the Treasurer's office in the City of Atlanta, and to be free from city taxes. Said bonds to be signed by the Treasurer, and countersigned by the Clerk of Council, affixing thereto the seal of the city. The coupons attached to said bonds to have the name of the Treasurer lithographed thereon. Said bonds to be sold under the direction of the Finance Committee, and the proceeds applied to the redemption of fifty bonds of five hundred dollars each, aggregating twenty-five thousand dollars, known as funding bonds, falling due January 1st,

1888, and dated October 1st, 1879, bearing interest at the rate of (6) six per cent. per annum. Said bonds to be sold at not less than par.

SEC. 351. *Be it ordained by the Mayor and General Council,* That the Finance Committee be instructed to have prepared <sup>\$25,000 re-
demption
bonds.</sup> twenty-five thousand dollars of coupon bonds as follows: ^{Nov. 5, '88.} Fifty bonds of five hundred dollars each; said bonds to be due and payable in thirty years after date, and to bear date January 1st 1889, and due January 1st, 1919. The coupons to be payable semi-annually on the 1st of July and January, for the interest on same at four and one-half per cent. per annum. Said bonds and coupons to be payable in New York or at the Treasurer's office in the City of Atlanta, and to be free from city taxes. Said bonds to be signed by the Mayor and Treasurer and countersigned by the Clerk of Council, affixing thereto the seal of the city. The coupons attached to said bonds to have the name of the Treasurer lithographed thereon. Said bonds to be sold under the direction of the Finance Committee, and the proceeds applied to the redemption of fifty bonds of five hundred dollars each, aggregating twenty-five thousand dollars, known as funding bonds, falling due January 1st, 1889, and dated October 1st, 1879, bearing interest at the rate of six per cent. per annum. Said bonds to be sold at not less than par.

SEC. 352. *Be it ordained by the Mayor and General Council,* That the Finance Committee be instructed to have <sup>\$100,000 re-
demption
bonds.</sup> prepared one hundred bonds of one thousand dollars each; ^{Oct. 8, '89.} said bonds to be due and payable in thirty years after date, and to bear date January 1st, 1890, and due January 1st 1920. The coupons to be payable semi-annually, on the first of July and January, for the interest on the same at four per cent. per annum, said bonds and coupons to be payable in New York, or at the Treasurer's office in the City of Atlanta, and to be free from city taxes; said bonds to be signed by the Mayor and Treasurer and countersigned by the Clerk of the Council, affixing thereto the seal of the

city. The coupons attached to said bonds to have the name of the treasurer lithographed thereon. Said bonds to be sold under the direction of the Finance Committee and the proceeds applied to the redemption of one hundred bonds of one thousand dollars each, known as "State House Bonds" falling due January 1st, 1890, and dated October 29th, 1870, bearing interest at the rate of seven per cent. per annum.

Oct. 8, '89. SEC. 353. Also fifty bonds of five hundred dollars each known as "Funding Bonds," falling due January 1st, 1890, and dated October 1st, 1879, bearing interest at the rate of six per cent. per annum. These two lots of bonds aggregating one hundred and twenty-five thousand dollars; said bonds to be sold at not less than par.

Nov. 6, '90. SEC. 354. *Be it ordained by the Mayor and General Council,* That the Finance Committee be instructed to have prepared forty thousand dollars of coupon bonds, as follows: Forty bonds of one thousand dollars each, aggregating forty thousand dollars. Said bonds to be due and payable in thirty years from date, and to bear date January 1st, 1891, and due January 1st, 1921; the coupons to be payable semi-annually, on the first day of July and January, for the interest on the same, at four per cent. per annum. Said bonds and coupons to be payable in New York, or at the City Treasurer's office in the City of Atlanta, and to be free from city taxes; said bonds to be signed by the Mayor and Treasurer and countersigned by the Clerk of Council, affixing thereto the seal of the city; the coupons attached to said bonds to have the name of the City Treasurer lithographed thereon. Said bonds to be sold under the direction of the Finance Committee of this body, and the proceeds thereof applied to the redemption of eighty bonds of five hundred dollars each, known as bonds to fund the floating debt, falling due January 1st, 1891, and dated October 1st, 1879, bearing interest at the rate of six per cent. per annum. Said bonds to be sold at not less than par.

An Ordinance to provide for the issuing of two hundred and fifty bonds of the City of Atlanta, of one thousand dollars each, to be sold to enlarge the water supply of the City of Atlanta.

SEC. 355. WHEREAS, It has been deemed necessary by the City of Atlanta to enlarge the water supply of said city, and to expend in such necessary enlargement at least the sum of two hundred and fifty thousand dollars;

\$250,000
water
bonds au-
thorized,
1890, not
yet issued.

SEC. 356. AND WHEREAS, The money is not in the treasury of said city to pay for such enlargement of the water supply, and cannot be raised for present use by taxation under the limitations in the city charter;

SEC. 357. AND WHEREAS, The debt of said city does not amount to seven per centum of the value of the taxable property therein, and may be increased in the sum of two hundred and fifty thousand dollars, without reaching the seven per cent. limit fixed by the State Constitution;

SEC. 358. AND WHEREAS, The Mayor and General Council aforesaid desire to issue two hundred and fifty thousand dollars of the four per cent. bonds of said city, to run not exceeding thirty years, and to be paid off, principal and interest, by the time of their maturity, to be sold for the purpose of realizing the sum of two hundred and fifty thousand dollars, to be expended in enlarging the water supply of said city; and assent of the people being necessary to the validity of such issue of bonds, the said Mayor and General Council called an election to determine whether the issue of bonds as aforesaid should be made, and after full notice to the voters of said city, published as required by law, the election was held in conformity with the constitution and laws of the State of Georgia and the charter and ordinances of the City of Atlanta, to-wit; on the 14th day of October, 1890; and it appearing from the returns made by the manager of said election to the Mayor and General Council that the requisite two-thirds of the qualified voters of said city voted in favor of the issue of bonds as aforesaid;

SEC. 359. *Therefore, be it ordained by the Mayor and Gene-*

ral Council of the City of Atlanta, and it is hereby ordained by authority of the same, That two hundred and fifty bonds of the City of Atlanta, of the denomination of one thousand dollars each, bearing interest at the rate of four per centum per annum, shall be prepared by the Mayor, Clerk of Council, Comptroller, and Treasurer of said city, and shall be sold by the Finance Committee to raise the sum of two hundred and fifty thousand dollars, to be expended in enlarging the water supply of the City of Atlanta.

SEC. 360. Of the bonds aforesaid, fifty shall mature and be paid off, principal and interest, at the expiration of ten years from the date of their issue. Fifty more shall mature and be paid off, principal and interest, at the expiration of fifteen years from the date of their issue. Fifty more shall mature and be paid off, principal and interest, at the expiration of twenty years from the date of their issue. Fifty more shall mature and be paid off, principal and interest, at the expiration of twenty-five years from the date of their issue. And the remaining fifty shall mature and be paid off, principal and interest, at the expiration of thirty years from the date of their issue; so that the whole issue of two hundred and fifty thousand dollars shall be paid off, principal and interest, within thirty years from the date of issue, as required by the Constitution and laws of Georgia.

SEC. 361. The interest on the issue of bonds hereinbefore provided for shall be evidenced by coupons attached to said bonds and properly signed, as in previous issues of bonds of said City of Atlanta, and be payable semi-annually at the office of the City Treasurer of Atlanta, Georgia, and in the City of New York.

SEC. 362. *The Mayor and General Council do further ordain, That an annual tax shall be levied, beginning with the year 1891, and continuing yearly until, and including, the year 1920 upon the taxable property in said city, and sufficient in amount to pay the yearly interest on the whole issue of bonds aforesaid, and also to pay the one-thirtieth part of said issue of bonds, and that the proceeds of such*

tax remaining, after paying the interest each year, shall be paid into the sinking fund, to be kept by the City Treasurer until date of maturity of the installments of bonds, as provided for in section 360 of this Code, and as each of said installments falls due, it shall be paid by said Treasurer from the sinking fund aforesaid: *Provided, however,* That the annual tax rate of one and one-half per centum per annum, fixed by the charter, shall not be exceeded because of the levy of the tax herein directed to be levied and collected.

SEC. 363. The faith of the City of Atlanta is hereby pledged to the punctual and full payment of the principal and interest of the issue of bonds provided for in this ordinance.

CHAPTER VI.

MAYOR AND OTHER OFFICERS AND CONTRACTORS.

SECTION.

364. Fidelity companies as sureties.

365. Real estate owners only on contractors' bonds.

SECTION.

366. Mayor, etc., not taken.

367. Not defend criminals, when.

368. Nor practice law against city.

SECTION 364. *Be it ordained by the Mayor and General Council of the City of Atlanta as follows:* That any company, with a paid up capital of not less than two hundred and fifty thousand dollars (\$250,000), incorporated and organized under the laws of Georgia or any other State of the United States, or any foreign State, for the sole purpose of transacting business of fidelity insurance, as surety on or guarantor of bonds of persons or corporations, and which shall have complied with all requirements of law for license to, and the transaction of business by such companies in Georgia, may, upon proper proof thereof and upon production of evidence of solvency and credit satisfactory to the Mayor, Judge, Committee of Council, head of department, or other officer or officers in and of said City of Atlanta, authorized to approve and accept bonds, be accepted as

Fidelity insurance companies may become sureties on official bonds of city officers and others—under what circumstances.

Apr. 2, '88.

But see next section as to bonds of contractors

surety on, or guarantor of any bond or bonds of any person or corporation now or that may be required by any law, ordinance, or other regulation in or of said city, to execute a bond in lieu of any surety or sureties, security or securities as now required by any law, ordinance or regulation aforesaid. And such company may be released from its liability on the same terms and conditions as are by law prescribed for the release of individuals, it being the true intent and meaning of this ordinance to enable corporations created for that purpose, to become the surety on or guarantor of any and all bonds required by the laws, ordinances, or regulations of said City of Atlanta, subject to all the liabilities and rights of private persons in respect of any one of such bonds.

Bonds for contracts signed by securities only who own real estate in Georgia. Sept. 19, '88.

SEC. 365. That from and after this date all bonds for the performance of contracts shall be signed only by persons owning real estate in Georgia.

Mayor, alderman and councilman not to be surety on any bond to city. April 4, '87.

SEC. 366. No member of the General Council, Mayor, Alderman or Councilman, from and after this date, shall become a surety on the bond of any city official, or contractor for city work.

Dismissed from office for violation. July 1, 1889.

A violation of this section shall subject the city official to dismissal from office, or a new bond shall be made without any Councilman or Alderman as surety thereon.

Not defend criminal cases—when. Jan. 1, 1890.

SEC. 367. The Mayor, members of the General Council, the Recorder, the City Attorney and his assistant, and members of the Board of Police Commissioners, are prohibited from defending or aiding in the defense of persons charged with the violation of the laws of Georgia.

City officers shall not as counsel represent suits, etc., against the city. Mar. 4, 1889.

This ordinance does not apply to cases in which either of said officers had been employed before its adoption, [nor to the defense of prisoners in State cases where the officers or members of the police force are not real prosecutors or chief witnesses against the party charged.]

SEC. 368. It shall not be lawful for any person holding a position or office under the city government of Atlanta, to whom a salary or compensation is paid by said city, to

institute or bring as attorney, any suit or legal proceedings against said city. Nor shall any such person hereafter, during his continuance in any such position or office, become employed as attorney or counsel in any matter or cause adversely to said city.

CHAPTER VII.

BUCKET SHOPS.

SECTION 369. Prohibited.

| SECTION 370. Penalty.

SECTION 369. No license shall be issued to any person, firm or corporation, to carry on in said city what is popularly known as a "bucket shop," "exchange," or other place where persons can buy goods nominally for future delivery, but where the real purpose is to allow the buyer an opportunity to speculate in the chance of a rise or decline in the goods or articles sold, or to carry on a business where persons can deal in "futures" or margins.

Bucket
shops
prohibited.
June 20, '87.

SEC. 370. Any person who shall in said city, directly or indirectly, whether as proprietor, agent, clerk or otherwise, carry on or be interested in carrying on the business of a bucket shop, exchange, or other place where persons can buy goods nominally for future delivery, but where the real purpose is to allow the buyer an opportunity to speculate in the chance of a rise or decline in the goods or articles sold, or to carry on a business where persons can deal in "futures" or margins, shall, for each day such business is carried on, and for each sale or transaction of the character above described, be subject, on conviction thereof, to a fine of not exceeding \$500.00 and costs; imprisonment not exceeding 30 days, either or both in the discretion of the court.

Penalty.

CHAPTER VIII.

BUILDING INSPECTORS.

SECTION.

371. Election.

372. Duty.

SECTION.

373. Dangerous walls; removed.

374. Compensation.

SECTION 371. Three freeholders, residents of said city, shall be elected at the meeting when the other city officers are elected or at any subsequent meeting in each year, as Building Inspectors for the City of Atlanta, and shall hold their offices for the term of two years, or until their successors are elected and qualified.

Jan. 22, '87.

Duty.

SEC. 372. It shall be the duty of the Building Inspectors, in connection with the City Surveyor, to inspect all buildings or walls located on the various streets, lanes or alleys, of said city monthly, and when they shall be requested by the Mayor, and to report the result of such investigation to the Mayor and General Council.

Dangerous walls.

SEC. 373. The Mayor and Council shall, if such buildings or walls, or any portion thereof, located on any street, lane or alley, is reported to be dangerous, order the owner or agent thereof, or in the discretion of the Mayor and Council, the owner or agent of the lot upon which the said building or wall may be erected, to have the same taken down, or rendered secure. If such owner or agent shall fail or refuse so to do for the period of fourteen days,* the Mayor and General Council shall proceed to have the same taken down, or rendered secure, at the expense of such owner or agent; such expense to be collected by execution against such owner's property, to be issued by the Clerk of Council.

Expenses of removal.

Compensation.

SEC. 374. Said Inspectors shall receive such compensation for actual service as the Mayor and General Council may direct.

* By recent amendment to Charter need not wait fourteen days.

CHAPTER IX.

BUILDING PERMITS.

SECTION.

375. Permit to build or change.

376. Description of building; sewerage.

377. Penalty.

SECTION.

378. Further penalty.

379. Duty of Clerk.

SECTION 375. That no person, firm or corporation, shall build or erect, within the fire limits of the City of Atlanta, as the same are now, or may hereafter be established by ordinance, any house or building of any kind or character, or otherwise add to, build upon, or generally improve, or change any house or building without having first applied to the Mayor and General Council of said city and obtained a permission for such purpose.

July, 1877,
and Sept.
1883.

Permit.

SEC. 376. Any person, firm, or corporation, making application for a building permit, as above provided, shall accompany such application with a description of the building proposed to be erected, the materials to be used in the construction, the street and number of the lot on which the same is to be placed, and such other description of the size, character, proposed use, and locality of the building, as the Mayor and General Council may in their discretion require. If it shall be deemed necessary, the applicant may be required to exhibit to the Mayor and General Council a plan of the proposed building. If the applicant desires to connect the premises proposed to be improved with the city sewers, the application must show how and at what point the connection is to be made, and for what purpose the sewer is to be used.

Descrip-
tion of
building.

Sewerage.

SEC. 377. A violation of the provisions of the foregoing ordinance shall subject the offender to be arrested and brought before the Recorder, Mayor, or Mayor *pro tem.*, and fined in a sum not to exceed five hundred dollars, or to be imprisoned not to exceed thirty days, either or both, in the discretion of the court.

Penalty.

SEC. 378. It is also ordained by the authority aforesaid, that as a part of the penalty of sections 375 to 377 all work on such house or building shall be stopped, or shall not be commenced, until such permission is obtained, and a violation of the provisions of said ordinance, as now amended, shall subject the offender, on conviction before the Recorder, Mayor, or Mayor *pro tem.*, or any three members of Council holding the Mayor's or Recorder's Court, to a fine not exceeding five hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of said court.

SEC. 379. It shall be the duty of the Clerk of Council to keep a separate book for such purpose, in which he shall record all such building permits, with all the papers in connection therewith; and such book shall be properly indexed and numbered; and for recording such papers the Clerk shall receive a fee of twenty cents for 100 words, to be paid by the party applying for and obtaining such permission.

CHAPTER X.

CEMETERIES.

SECTION.

- 380. Disturbance of graves.
- 381. Tombs, disturbance of.
- 382. Traffic in.
- 383. Burying outside of cemetery.
- 384. Gates, how kept and used.
- 385. Bell.
- 386. Sign or notice.
- 387. Trees and shrubs.
- 388. Work on lots.

SECTION.

- 389. Carriages, etc.
- 390. Burial of colored persons prohibited in certain parts.
- 391. Night guard.
- 392. No more lots sold.
- 393. Burial of paupers.
- 394. Exhuming dead bodies.
- 395. Depth of graves.

SECTION 380. Any person or persons who shall in any wise disturb any grave, deface, pull up or remove anything put or placed to mark a grave, or any paling or wall placed around the grave, or shall remove any plank, posts or timbers in the graveyard, such person or persons so offending, on conviction thereof, before the Mayor, Recorder, or three members of Council, shall pay a fine not exceeding one

Graves,
disturb-
ance of.

Penalty.

hundred dollars and costs, or be imprisoned not exceeding thirty days in the calaboose or common jail of Fulton county.

SEC. 381. Any person who shall destroy, mutilate, deface, injure or remove any tomb, monument, gravestone or other structure placed in the cemetery, in the said City of Atlanta, or any fence, railing or other work, for the protection or ornament of any tomb, monument, gravestone or other structure aforesaid, or for the ornament or protection of said cemetery, or shall willfully destroy, cut, break, remove or injure any tree, shrub or plant that may have been planted, or that may be growing in said cemetery, or commit any other trespass within the limits of said cemetery, shall, upon conviction thereof, before the Mayor, Recorder, or three members of Council, pay a fine of not exceeding one hundred dollars, and may be imprisoned in the guard-house or calaboose not exceeding thirty days, which money, when collected, shall be applied one-half to the informer, and the other half by City Council, under the direction of the committee on the cemetery, to the reparation and restoration of the property destroyed or injured as above.

Disturbing
tombs and
adjuncts, or
shrubby.

Penalty.

SEC. 382. Any person or persons, who shall sell, or offer for sale, any article of merchandise, or any fruit, drink, or beverage, or anything of value, within the limits of the cemetery, shall, on conviction, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the court.

To prevent
traffic
inside of
cemetery.

April 21, '79

Penalties.

SEC. 383. Any person or persons, who shall bury, or cause to be buried, any dead person or persons in any other place in this city than the public cemetery, without permission of Council, shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, for each offence, or be imprisoned in the calaboose or county jail not exceeding thirty days.

Burying
outside of
cemetery.

SEC. 384. That the gates leading into the city cemetery on Decatur and Fair streets, shall be kept locked, and opened only on funeral occasions, or at the request of parties

Gates,
how kept
and used.

Feb. 7, 1876.

hauling material for cemetery purposes ; that the gate on Hunter street shall be the general funeral entrance to said cemetery.

Bell.

SEC. 385. That a bell shall be placed at the Sexton's office, which shall be rung at a specified hour in the morning, when the cemetery will be open to the public, and said bell shall again be rung at a specified hour in the evening for the space of fifteen minutes, as a signal for all persons to retire from said cemetery before the gates are closed for the night ; and any person or persons found remaining in said cemetery after the bell has ceased ringing in the evening, or found in the cemetery before the ringing of the bell in the morning, shall be arrested by any person or officer clothed by the city with authority to make such arrest, and, on conviction, shall be punished as prescribed in section 306.

Sign.

SEC. 386. That a sign or notice shall be placed at one or more places in said cemetery, warning parties against the violation of the preceding section of this ordinance.

Trees and shrubs.

SEC. 387. That whenever any tree, shrub or plant, standing in said cemetery shall injure any monument or decoration in an adjoining lot, by the drip from its leaves or otherwise, on complaint being made thereof to the Sexton, it shall be his duty to notify the party or parties owning the said tree, shrub or plant, to remove the same, and in case he, she or they shall refuse or fail to do so, then, and in that event the Sexton shall have power to remove or cause to be removed said tree, shrub or plant.

Work on lots.

SEC. 388. That any person or persons entering said cemetery for the purpose of working on any lot or lots belonging to another person or persons, shall first present to the Sexton an order, in writing from the owner (or agent of the owner) of said lot or lots, stating it to be their wish that the bearer thereof be permitted to work on said lot or lots, and such work must not interfere with the walks, decorations or other general arrangements in any manner, under the supervision of the Sexton.

SEC. 389. That any person or persons having in charge any carriage, wagon, dray or any vehicle, shall not drive the same on, or allow the same to occupy any walk or alley prohibited by the Sexton.

Carriages,
etc.
Feb. 7, 1876.

Feb. 20, '82.

SEC. 390. The Sexton shall not bury, or allow to be buried, any colored persons upon ground set apart for or used for the burial of white persons.

Burial of
colored
persons
prohibited
in certain
parts.

SEC. 391. There shall be elected by the Police Commissioners, at the time other officers of the police force are elected, three night guards for the cemetery, who shall hold their office for two years, unless dismissed for cause. Their compensation shall be payable monthly. Their hours of service shall be the same as those now required of the police force. They shall have all the powers of regular policemen, and shall guard the cemetery at night, and arrest all intruders and violators of city ordinances in and around the cemetery. The Board of Police Commissioners shall cause one of the Captains of Police, on duty, to visit the cemetery at least once every night, and as often as may be necessary, to see that the cemetery guards are in the proper discharge of their duties and carefully protecting the cemetery from intrusion.

Night
guards.

Aug. 9, '88.

Salary.

July 21, '79.

Powers.

SEC. 392. That from and after the passage of this ordinance, no more lots shall be sold or donated by the City of Atlanta, in Oakland Cemetery, for the purpose of making interments thereon.

Oakland
Cemetery.

SEC. 393. From and after this date all orders for paupers' graves shall be directed to West View Cemetery Association, and all pauper interments made by the authorities of the City of Atlanta shall be in West View Cemetery until the further action of this body.

Paupers,
where
buried.

SEC. 394. *Be it ordained by the Mayor and General Council of Atlanta:* Section 1. That from and after the adoption of this ordinance it shall be unlawful to exhume dead bodies at Oakland Cemetery without a permit from the Board of Health of the City of Atlanta, and any person so offending shall, on conviction, be fined in the sum not

Exhuming
dead
bodies in
Oakland
Cemetery.

April 20, '85

exceeding one hundred dollars, or to work and labor on the public streets of the city not longer than thirty days, either or both in the discretion of the court. And the Board of Health is hereby authorized and empowered to make such rules and regulations as may be necessary and proper to carry out the true intent and purpose of this ordinance. Sec. 2. That all ordinances in conflict with the above are hereby repealed.

Graves—
depth of in
Oakland
Cemetery,
etc.

SEC. 395. That from and after the passage of this ordinance, Section 1, no grave in Oakland Cemetery shall be less than five feet deep. Sec. 2. The opening of a grave in said cemetery and the interring therein of an additional body is forbidden. Sec. 3. Any person or persons violating any of the provisions of this ordinance shall, on conviction before the Recorder, be punished by a fine not exceeding one hundred dollars, or imprisonment not longer than thirty days, either or both, in the discretion of the court. Sec. 4. It shall be the duty of the Sanitary Inspectors to see to the enforcement of the provisions of this ordinance.*

Dec. 7, 1885.

CHAPTER XI.

CHECKS LOST.

SECTION 396. Record of lost checks.

SECTION 397. Transcript of record.

Record of
lost checks.

SECTION 396. The Clerk of Council shall make and keep in a book, to be prepared for that purpose, a record of all city checks lost by the owners and renewed by the Council, with their dates, numbers, amounts, in whose favor issued, whether payable to order or bearer, for what purpose or on what account issued, and the dates and amounts of all credits on said checks, with the name of the owner at the time of the entry of the credit.

*See action of Mayor and Council of May 5th, 1884, and following meeting of Aldermanic Board for relations of city to West View Cemetery.

SEC. 397. The said Clerk shall make correct transcripts of such record in a large, fair hand, and furnish one to the Treasurer, Marshal and Tax Collector, to be posted conspicuously on or near their desks for convenience of reference. The description of each renewed check shall, immediately after its renewal, be added to the record and to each of said transcripts.

CHAPTER XII.

CITY ATTORNEY.*

SECTION 398. Election and duties of. | SECTION 399. Sue negligent officials.

SECTION 398. There shall be an attorney elected by the Mayor and General Council for the City of Atlanta, who shall have the title of City Attorney, whose duty shall be to prepare all such cases as may come before the Mayor or General Council, and prosecute the same, and attend to such legal business as may be required of him, in favor of said city, and give counsel in all cases required of him by the officers of said city; and who shall receive a reasonable salary, to be fixed by the Mayor and General Council next preceding his election, which shall not be changed during his term.

SEC. 399. In all actions hereafter brought against the city in which it is sought to recover damages on the ground of negligence resulting in injury to plaintiff or other person in whose right, or for injury to whom he sues, it shall be the duty of the City Attorney, upon inquiring into the facts, to serve a notice upon any and all officers or employees of the city, whoever he or they may be, by whose negligence it was, if such negligence there be, that such injury occurred, notice of the pendency of such action, together with a copy of the declaration in said case, at least five days before the trial thereof, and if said suit results in a final recovery against the city it shall thereupon be the

Damages to be recovered from negligent officials whose acts cause same
Mar. 2, 1885

*NOTE.—The Assistant City Attorney is appointed by the City Attorney, subject to confirmation by the Mayor and General Council.

May not
defend
criminals—
nor his
assistant—
when.
See 367
and 368.

duty of the City Attorney, by virtue of this ordinance, and without further authority or direction therefor, to institute suit against the person or persons thus notified, to recover said amount from him or them upon their liability over to the city, in such case by law existing: *Provided*, that nothing herein contained shall be construed to hold any member of the General Council responsible for his vote in any matter pending before the General Council otherwise than his liability under the charter.

CHAPTER XIII.

CITY HALL PARK.

SECTION.

400. Interfering with birds.

401. Trespassing on grass.

SECTION.

402. Nuisances in buildings

Interfering
a with birds
nests.

SECTION 400. Any person taking the eggs or birds from a bird's nest, tearing down or destroying a bird's nest, or shooting, throwing stones, flipping at or killing a bird or birds in the City Hall lot, or any of the shade trees in the incorporate limits of Atlanta, shall be subject to arrest, and, on conviction, shall pay a fine of not exceeding ten dollars and costs, or imprisonment not more than five days in the station-house.

Trespass-
ing on
grass.

April 2, '77.

SEC. 401. Any person who shall, after being ordered off, walk on the grass of the City Hall lot of Atlanta, except such persons as may be cutting or attending to the cutting of the grass, and such persons as may be dressing or attending to the dressing of the grounds, and excepting such grounds or parts of grounds as may be appropriated and allowed for croquet or other amusements, shall, on conviction, be fined in a sum not to exceed ten dollars and costs, or imprisonment in the station-house not more than five days.

SEC. 402. Any person who shall commit any nuisance in the City Hall Park, or in any of the buildings or privies

thereon, shall, on conviction, be fined not exceeding ten dollars, or imprisoned not more than ten days, in the discretion of the court.

CHAPTER XIV.

CITY PHYSICIANS.

SECTION.

403. Election.

404. Salaries.

405. Duties.

SECTION.

406. Small-pox hospital.

407. Supervision of Relief Committee.

SECTION 403. The Mayor and General Council may, ^{Election.} when other officers are elected, elect as many City Physicians as they may deem necessary for the proper treatment of the poor of the city.

SEC. 404. Said City Physicians shall receive such salaries ^{Salaries.} as may be fixed by the Mayor and General Council, and the amount of such salaries shall be determined prior to their election and not be changed during their terms.

SEC. 405. Each of these physicians must have his resi- ^{Duties.} dence and office in the division for which he is elected. It shall be the duty of the City Physicians to attend to all kinds of practice among the poor, viz : medical and surgical cases, including obstetrics, venereal diseases, and small-pox.* It shall also be their duty to vaccinate every pauper child in their respective divisions, to which no objection is offered.

SEC. 406. If small-pox prevails to the extent of necessi- ^{Small-pox hospital.} tating the opening of the small-pox hospital, the Mayor and General Council may, in their discretion, during such emergency, employ a physician to take charge of said hospital, at such salary per month as said Council may deem adequate; and it shall be the duty of said physician ^{Physician.} to attend all pauper cases of small-pox occurring in the city, and to cause the removal of such cases to the small-pox

* By resolution they are required to make quarterly reports.;

hospital at the earliest practicable moment, there to be treated by him. And it shall be the duty of each City Physician to report to said small-pox physician all cases of small-pox occurring in his division. But when in the opinion of the Mayor and Council no such emergency shall exist, or such emergency shall cease to exist, then each of the City Physicians shall attend the patients in said hospital in rotation, one month at a time, without additional compensation, and it shall be the duty of the Chairman of the Relief Committee to assign them to duty. The medical and other supplies furnished the small-pox hospital to be at the expense of the city.

Supervision of relief committee.

SEC. 407. The Relief Committee shall have supervision over the City Physicians, and see that they perform their duties faithfully. In case of neglect of duty, they shall report the case to the Mayor and General Council, and if, after due investigation, the physician be found guilty, he shall be reprimanded, fined or dismissed from office, at the discretion of the City Council.

CHAPTER XV.

CITY ENGINEER.

SECTION.

- 408. Election.
- 409. Duties.
- 410. Sewer—cost of.
- 411. Bond.
- 412. Make plats.
- 413. Profiles.

SECTION.

- 414. Grades—how established.
- 415. Grades—permanent.
- 416. Inspect permanent improvements.
- 417. Reject improper work or material.
- 418. Make out paving bills.
- 419. And for sewers, etc.

Election—salary.

SECTION 408. There shall be elected by ballot, at the time of electing other city officers in and for the City of Atlanta, an Engineer for said city, who shall take an oath before the Mayor to perform such duties as may hereafter be required by said Mayor and General Council, annually, and he shall be entitled to and receive such salary as may be fixed by said Mayor and General Council, which shall not be changed during his term.

Oath of office.

SEC. 409. It shall be the duty of the City Engineer to survey, lay out and give the grade of streets and sidewalks, and the inclination and shape of drainage for the city, and the form and dimensions necessary to culverts, and the thickness and strength necessary to all walls that are to be filled with earth, and to perform all other duties in his line of business that he may be called on to do by the resolution of Council, the Street Committee, or the Commissioner of Public Works, and to do all the engineering necessary for the city. The Superintendent of Streets shall work to his plans and directions, as well as those engaged in any work coming under his department. He shall file and carefully preserve in his office, properly indexed, all plats of property furnished him by parties who make subdivisions of such property for the purpose of sale or otherwise.

Duties.

Commissioners of streets, etc., to work to his plans.

Shall keep file of plats.

May 3, 1880.

SEC. 410. He shall keep a record of the cost of all sewers that have heretofore been laid down, and collect from all persons desiring to connect therewith, before granting them permission to do so, such an amount in proportion to the whole cost of the sewer as the frontage of his lot bears to double the amount of the whole length of the sewer. He shall pay over all amounts thus collected to the Clerk of Council.

Keep record of cost of sewers.

SEC. 411. The City Engineer shall give bond, with good and satisfactory security, in the sum of one thousand dollars, for the faithful performance of his duties.

Bond.

SEC. 412. That from and after the passage of this ordinance, that all permanent street improvements, whether for sidewalks or streets, when passed on by the Mayor and General Council, and concurred in by the Aldermanic Board, the City Engineer is hereby required to make a plat of each street, or a portion of a street to be so improved, with the names and frontage of each property owner on said street; and when the street or a portion of a street is completed, he is required to furnish the Clerk of Council with said plat, specifying the amount due by each property owner. Then it becomes the duty of the Clerk of Council to keep a

Engineer to make plat.

Clerk's duty.

Nov. 17, '83.

separate set of books for street improvement purposes, and he shall be required to make monthly reports to the Mayor and General Council of all the money received, and from whom, and also the names and the amount due of each property owner who may be indebted to the city for street improvement, and that all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

SEC. 413. That from and after the passage of this ordinance, when any person, firm, or corporation shall apply for a permanent grade under section 64 and 66 of the Code of 1883, or when in the construction of sidewalks, sewers, or improvement of any street or alley in said city, it shall become necessary to fix and establish a permanent grade, all the surveys, plans, profiles and grades, and other work necessary to perfect the same, shall be done and furnished by the City Engineer to the Mayor and General Council, who shall, by ordinance, fix and establish such grade, and have the Clerk of Council enter on the profile showing such grade, the day and date of its adoption by the Council, and such profile shall then be filed in the Engineer's office.

SEC. 414. That after said grade has been established by the Mayor and General Council, the work shall be done in conformity therewith.

That hereafter no change shall be made in the grade of any street or alley, unless the same shall first be fixed and established by the Mayor and General Council. That all ordinances and parts of ordinances in conflict with the foregoing be, and the same are hereby repealed.

SEC. 415. That when any person shall apply for a grade under sections 64, 65 and 66 of the Revised City Code, he or she shall place with the City Engineer the sum of two dollars as a deposit to secure the costs—and when such grade of such applicant is made and established, he or she shall pay the further sum of three dollars before becoming entitled to such grade. The sums of money so collected by the City Engineer shall be delivered to Clerk of Council, who shall return the same into the Treasury of the City.

SEC. 416. The City Engineer shall have entire charge and control of the inspection of all street, sidewalk and sewer work and improvements in the city, and shall, by himself or competent assistants chosen by himself, have all such work thoroughly and efficiently inspected as the same progresses, and where the immediate inspection is made by assistants appointed by him, he shall himself have a general supervision of such work of inspection, and is charged with the duty of seeing that all work done and material used in any such street, sidewalk and sewer work and improvement, is strictly in accordance with the specifications for the same, to the end that the city and the people who pay for the same shall be fully protected against inferior work and material.

Inspect
public
work and
appoint
his own
assistants.

Feb. 17, '91.

SEC. 417. Should the City Engineer, at any time, or during any stage of the work, or after completion of the same, and before the payment therefor, ascertain that any improper work has been done, or any inferior material used, it shall be his duty to require the same executed according to the specifications, before approving the bill for the same, before entire and final payment for the same is made. But ssaid Engineer may make and enforce reasonable regulation for approval, or preliminary estimates on such work, as the same progresses.

Feb. 16, '91.

Reject
improper
work and
material
and make
estimates
as work
progresses
and final
estimates.

SEC. 418. The City Engineer shall make out all bills against property owners for curbing, sidewalk and street paving, sewer assessments, etc., which shall be numbered consecutively and entered by him in books prepared for that purpose, which he shall turn over to the Comptroller, and the bills to the City Clerk for collection, and the amounts of same shall be receipted for by the City Clerk to the Comptroller. The Clerk shall receive credit for collections on above accounts and the Treasurer charged with same upon presentation of daily receipts from Treasurer. The Tax Assessors shall make execution dockets against delinquents under this head, as set forth in cases of delinquents for general tax, and the Comptroller shall credit the

Make out
bills, etc.

City Clerk and debit the Marshal, the general procedure being the same as in case of delinquents for general tax.

SEC. 419. The Engineer shall make out all bills for sewer entrance fees, removing and replacing permanent street improvements, where water, gas, or sewer pipes are laid by citizens, and other work of like character, and enter the same in the books properly prepared for the purpose and turn over the same to the Comptroller, who shall hold the Commissioner of Public Works responsible for their collection. The Commissioner shall collect same and receive credit upon exhibiting the receipt of the Treasurer.

CHAPTER XVI.

CLERK OF COUNCIL.

SECTION.

- 420. Oath and bond; duties.
- 421. Issue license, orders, etc.
- 422. Books to be kept.

SECTION.

- 423. Form of stubs, etc.
- 424. Salary.
- 425. Fees.
- 426. When fixed.

SECTION 420. The Clerk of the City Council of Atlanta shall, before he enters on the duties of his office, take the usual oath, give bond with two or more good and sufficient securities, in such sums as the Mayor and Council shall determine by resolution, annually, before the election. The Clerk shall attend all meetings of the General Council, and shall keep a fair and correct record of the proceedings of the same, and shall pay all moneys received by him to the City Treasurer, at least once a week.

Clerk to
give bond
and take
oath.

Clerk of
Council—
duty of

Issue
licenses,
etc.

SEC. 421. The Clerk shall issue all licenses as hereafter pointed out, and all orders, summonses, notices, or other instruments which may be required of him by the Mayor and General Council.

Books to
be kept
by Clerk.

SEC. 422. The Clerk shall keep the following books and accounts :

1. A book or rough sheets of minutes.
2. A book of neat and accurate minutes.

3. A book for recording all licenses issued.
4. An ordinance and covenant book.
5. A book of charges, in which all cash items shall be entered as coming into the hands of said Clerk; also, an account of all moneys paid to the City Treasurer, which book shall be so prepared and entries therein so made, that, at the end of the year, he may readily determine how much has been appropriated by the city for streets and sewers, and how much has been collected from the citizens for such work.

6. A check book, which shall contain a margin, showing the number, amount, date, for what purpose ordered, and to whom granted, in each case.

7. A book in which he shall register the names and places of business, and date of license of each person, firm, company or corporation doing or carrying on any business, calling, trade or profession in said city.

8. He shall keep a substantial book, in which he shall have recorded all petitions for street work, and all waivers of damage on account of street work, after which the originals shall be safely filed and kept by him.

That said Clerk shall make a minute in said record book of the time, amount, and the name of the person to whom Oct. 8, '89. paid, of all payments by said city on account of claims for personal injury or injury to property, real or personal.

That said record book shall be well indexed, so that the matters and things therein contained can be readily found.

SEC. 423. All licenses for business and commission returns, etc., shall be issued by the City Clerk, based on the schedule of charges for business set forth in the tax ordinance each year. These licenses and commission returns, etc., shall have two stubs, which shall be filled in by the Clerk with the name, business, amount, etc., as the license, etc., written by him shall show, and he shall certify the same on the license and commission returns, etc., he shall deliver to the Tax Collector the license or commission returns, etc., and one of the stubs so written, retaining the Business license—how issued, collected and returned.

other stub from which to make up his accounts. The Tax Collector, having been relieved from duty in the Assessor's office, shall collect the amount of the license, commission returns, etc., so issued by the City Clerk, retaining the stub, and charge up same in a book kept for that purpose, and shall report to the Comptroller on the same day all such licenses or commission returns, etc., collected by him, accompanied with the stubs so turned over to him by the City Clerk, to be verified by him. The stubs and license or commission returns, etc., shall bear the same number, date, etc., so as to be readily identified as triplicates. The General Business Licenses shall be numbered annually from 1 to 15,000; the Dray and Hack Licenses from 15,001 to 20,000; Retail Liquor Licenses from 20,001 to 22,000; Wholesale Liquor Licenses from 22,001 to 23,000; Commission Returns, etc., 23,001 to 25,000. The City Clerk shall make each day a detailed statement to the Comptroller of all the licenses and commission returns, etc., issued by him, showing the number, date, name, business and amount, which must correspond with the license, etc., turned over by him to the Tax Collector. The City Clerk must also make monthly statements of same to the Comptroller. The Tax Collector shall turn over daily to the Treasurer the sum collected by him for licenses, commission returns, etc., taking his receipt for same, which they shall report to the Comptroller, and he shall credit the one and debit the other.

Salary.

SEC. 424. The Clerk of Council may receive for his services a salary, per annum, payable quarterly, without perquisites, and shall do and perform all such duties as are now, or may hereafter be, required by the laws and ordinances of the City of Atlanta.

SEC. 425. The Clerk of the City Council of the City of Atlanta shall be entitled to demand and receive fees, unless he receives a salary in lieu of the same, or the General Council shall have otherwise provided:

For each case before Recorder where fine is collected	.75
For each <i>fi. fa.</i> which is collected	.50
For issuing general business licenses, each	.25
For issuing dray and hack licenses, each	.25

For other services such fees as heretofore fixed by ordinances. Nov. 6, 1890

The salary of the Collector of Street Improvements to be paid by the city, under supervision of Finance Committee. Dec. 28, '86.

SEC. 426. Whether the Clerk shall receive fees or salary, the same shall be fixed prior to his election, and shall not be changed during his term of office. When compensation fixed.

CHAPTER XVII.

COMMITTEES.

SECTION 427. Standing Committees.

SECTION 427. The Mayor shall appoint from the members of Council the following Standing Committees, for the preparing and considering of business for the action of Council, to whom may be referred such business as the Council may deem appropriate, viz:

- Committee on Finance.
- Committee on Ordinances.
- Committee on Streets and Sidewalks—five members.
- Committee on Wells, Pumps and Cisterns.
- Committee on Electric Lights and Street Rail Roads.
- Committee on Relief.
- Committee on Market.
- Committee on Fire Department.
- Committee on Police.
- Committee on Cemetery.

- Committee on Public Buildings and Grounds.
- Committee on Tax.
- Committee on Public Schools.
- Committee on Printing.
- Committee on Sewers and Drains.
- Committee on Water Works.
- Committee on Contested Claims and Litigation.
- Committee on Park.
- Committee on Sanitary Affairs.
- Committee on Salaries.
- Committee on Manufactures and Statistics.
- Committee on Bridges—and this committee shall have charge of the execution of the work of building and repairing bridges.

CHAPTER XVIII.

COURTS AND TRIALS.

SECTION.

- 428. Terms of Court.
- 429. Summons of trial.
- 430. Form of summons.
- 431. Failure to appear.
- 432. Subpœnas.
- 433. Defaulting witnesses.
- 434. Continuances.
- 435. Practice.
- 436. Construction.
- 437. Punishment.

SECTION.

- 438. Fines.
- 439. Persons implicated.
- 440. Contempt of Court.
- 441. Collection of fines.
- 442. Work on streets.
- 443. Recorder.
- 444. Marshal and deputy may serve summons.
- 445 to 447. Defendants must appear.
- 448. Recorder reports.

Terms of
court.

SECTION 428. The Recorder, or in his absence the Mayor, Mayor *pro tem.*, or three members of Council, shall hold a court at 2:30 o'clock p. m. each day, except Sunday, at the Recorder's court room, for the trial of persons charged with violating any of the laws or ordinances of the City of Atlanta, and also at 9:30 o'clock a. m. on Mondays, Tuesdays and Wednesdays.

Summons
and trial.

SEC. 429. Any person who is charged with an offense against any of the ordinances of the City of Atlanta, shall be informed by the summons in writing served on him of

the nature of the cause of his accusation; shall have compulsory process for obtaining witnesses in his behalf; shall have a speedy trial before the Recorder, or in his absence the Mayor, Mayor *pro tem.*, or three members of Council; shall be confronted with the witnesses against him, and have the privilege of cross-examination, as in the Superior Courts of the State of Georgia. The same rules as to examination of witnesses and the evidence adduced as obtain in said courts, as far as they are applicable to examining courts, shall be applicable to cases before the Recorder's Court and before Council. The party accused shall have the privilege of defending himself, by counsel or by himself, or both, as to him shall seem proper. No one shall be condemned, fined or punished without a chance of being heard in his defense. Officers of city, informers, and parties injured, shall be competent witnesses when not on trial.

Rules—
Counsel—
Witnesses.

SEC. 430. It shall be the duty of the Clerk in all cases where complaint is made or information given, of any violation of any of the laws and ordinances of said city (whether the party be confined in the guardhouse or not), to issue a summons, directed to the accused, requiring said offender to appear before the Recorder, Mayor, Mayor *pro tem.*, or three members of Council in the Mayor's absence, to answer said charge, which summons shall contain the offense, and time and place of trial, bear test in the name of the Mayor, be signed officially by the Clerk and directed to the Chief or other officer or member of the police force, to be executed, who shall execute the same by serving a copy upon the accused, or leaving it at his or her place of residence.

Form of
summons.

SEC. 431. Any person summoned as aforesaid, who shall fail, neglect or refuse to appear, or to render a satisfactory showing for such failure, neglect or refusal to appear and answer the charge specified, may be fined in a sum not exceeding one hundred dollars, and the cause continued to such time as the court may direct, and the court shall issue an order requiring the Chief, or other member of the police

Failure to
appear.

force, to arrest said offender, and bring him or her before the court to answer said contempt, and it shall be the duty of said Chief of Police to keep the offender in custody until he is brought before the court, unless he gives bond for his appearance as provided by law.

Subpœna. SEC. 432. Whenever the attendance of any witness may be required before the court to establish any fact, the Clerk shall issue a subpœna, directed to the witness, stating the time and place of trial and the parties to the case, which shall bear test in the name of the Mayor, and be served as other summons by the Chief of Police, or other officer or policeman.

Defaulting witnesses. SEC. 433. If any person so summoned as a witness shall fail, neglect or refuse to attend said trial, or render at the time a sufficient excuse, in the judgment of the court, said defaulting witness shall be liable to a fine of not exceeding fifty dollars; and if said cause shall be continued on account of the witness' absence, the court may issue attachment against said witness, requiring him to show cause, on the day appointed for trial, why he should not be further dealt with for contempt; and the Chief of Police shall, by virtue of said attachment, arrest, or cause to be arrested by some other officer or policeman, and confine said person, so as to have him, her or them before the Recorder, or other presiding officer in the Recorder's Court, at such time as he may appoint, for further hearing of the original complaint.

Defaulting witnesses—proceeding against.

Continuance. SEC. 434. Where the ends of justice may require it, all cases may be continued. All continuances shall be addressed to the sound discretion of the court, under the rules governing the Superior Courts of this State.

Practice. SEC. 435. The city shall have the opening and conclusion of each case, unless the defendant introduces no evidence; then he shall be entitled to the conclusion. The city shall announce first, if they are ready for the trial; if not, they shall be held to as strict a showing for continuances as the defendant. The rules of evidence shall be the same as in

the Superior Court, as far as applicable to the case on trial. All officers shall be legal witnesses when not on trial.

SEC. 436. The Recorder's Court shall be controlled by the rules of the Superior Courts, as far as they are applicable to Recorder's Courts and a sound construction of the charter and ordinances of the city.

SEC. 437. All offenders against the ordinances and laws of said city shall be tried by the Recorder, Mayor, or Mayor *pro tem.*, and in their absence, by three members of Council; and said court may impose such punishment as is provided by the laws and ordinances of said city for the offences of which said offenders may be found guilty.

SEC. 438. For violation of any ordinance, or section of an ordinance, for which no particular penalty has been prescribed, the court may impose, in its discretion, any fine not exceeding one hundred dollars and costs, or imprisonment not exceeding thirty days, in the calaboose or jail.

SEC. 439. If on the trial of any case before the Recorder's Court, it appears that any other person besides the one on trial has violated a by-law or ordinance of this city, he or she may then and there be tried, unless the case is put off for legal cause.

SEC. 440. Any person who, during the sitting of Police Court, or during a session of the Council, or Board of Aldermen, shall be guilty of a contempt of court, or of Council, or refuses to abide by any sentence or order of said court or Council aforesaid, shall be fined in a sum not exceeding fifty dollars and costs, or confinement in the guard-house, or both, as shall seem expedient or proper under the circumstances.

SEC. 441. The Clerk of Council may issue an execution instantar, where any fine is imposed by the court, or Mayor and General Council, to be levied upon the goods, chattels, lands and tenements of the person or persons fined, if the sum is not immediately paid, which execution shall bear test in the name of the Mayor, and be signed officially by the Clerk and be directed to the Marshal of the City

of Atlanta ; or the court may, by order, compel any person fined, who shall fail or refuse to pay the fine, to work on the streets of said city, under the Street Overseer, or other person having control over said works.

Work on
streets.

SEC. 442. When any person is convicted of any offense against the laws and ordinances of the city, before the Recorder, Mayor, or Mayor *pro tem.*, it shall be discretionary with the court to punish such offenders by ordering them to work on the streets or public works of the city, under the supervision of the proper officer ; and payment of all fines, not otherwise paid, may be enforced by work as aforesaid.

Recorder.

SEC. 443. Whenever a Recorder shall be elected by the Mayor and Council, he shall be governed and controlled by the foregoing sections of this chapter in the same manner as the Mayor is or would be governed and controlled.

Marshal
and
Deputy
may serve
summons.

SEC. 444. That the City Marshal and his Deputy Tax Collectors be, and the same are hereby, authorized and empowered to serve summons requiring persons to appear and answer before the Recorder's Court, the same as policemen are authorized, and that such service shall be as legal and binding upon the party served as though he were served by a member of the police force.

Cases must
be entered
in true
name only.

Feb. 21, '87.

SEC. 445. That it shall be unlawful for any policeman or other officer making arrest of a person for the violation of laws, to enter the name of said person under a false or assumed name on the police docket, but in all cases the true name of the accused, and of the offence, shall be honestly docketed.

No person
to be tried
under
feigned
name.

And
accused
must be
present.

SEC. 446. It shall be unlawful for any court, under the jurisdiction of the city, to try a person under a feigned name, where he has reason to believe a fraud is being practiced on the court, and on the public, by the use of a feigned or fictitious name, and the concealment of the true name ; nor shall said court entertain a plea of guilty, except the accused is personally present at a regular call of the docket in open court ; and the court shall then inquire into all the circumstances,

and impose such sentence as is proper. If the person arrested, or against whom the case is made be a female, then, in such case the court may or may not require her personal attendance in open court, as the ends of justice may demand, as the court in its discretion may determine.

Except that females may be excused by the court from actual attendance Mar. 7, 1887

SEC. 447. Any person violating the foregoing provisions, on conviction thereof in the court presided over by the Recorder, Mayor, or three members of the Council, shall be fined, not exceeding \$100.00, or imprisoned, not exceeding thirty days, either or both, in the discretion of the court, and also be subject to dismissal from office.

Dismissal from office for violation.

SEC. 448. The Recorder shall make daily to the Comptroller a detailed report, with number, name, crime, date and amount of fine imposed, as appears upon his Court Docket, to the Comptroller, who shall hold the Chief of Police responsible for their collection. The Chief shall obtain credit upon showing his receipt of deposit with the Treasurer when the fines are paid in money, or, if the fine has been remitted, upon certificate of Mayor and Recorder to that effect, or, if by labor on public works, or escape or otherwise, by certificate of Commissioner of Public Works and Stockade Keeper to that effect. These reports to be made daily and monthly to the Comptroller, and deposits to be made daily with the Treasurer.

Recorder to make daily reports to Comptroller.

CHAPTER XIX.

COWS.

SECTION.

- 449. Not to run at large.
- 450. Advertised and sold.
- 451. Owner to have net proceeds.
- 452. Cows to be milked.
- 453. Penalty for letting cattle run at large.

SECTION.

- 454. How impounded and sold.
- 455. Not grazed without land owner's consent.
- 456. Penalty.

SECTION 449. No cattle of any kind shall be permitted to run at large either day or night, upon any street of the city within the sanitary limits, and between November 1st

Cattle running at large. Mar. 23, '82.

and March 1st, upon any street within the incorporate limits.

Shall be
advertised
and sold.

SEC. 450. That when any cattle shall have been taken up twenty-four hours and uncalled for, the Chief of Police shall, after advertising the same for three times in the daily city papers, sell the same to the highest bidder at public outcry. That it shall be the duty of the Chief of Police to pay to the Clerk of Council, weekly, all moneys collected under this ordinance.

Money
collected.

Owner
repaid
proceeds
of sale.

SEC. 451. That any person whose cattle may have been sold, under the provisions of this ordinance, shall, by making proper proof of ownership, be repaid the proceeds arising from the sale of such cattle, after deducting expenses of advertising, feeding and selling, by petition to Mayor and General Council.

Cows to be
milked, etc.

SEC. 452. It shall be the duty of the officers in charge of the pound in which cows are confined, under the foregoing sections, to have such cows regularly milked and cared for, so as not to be injured in their milk-giving qualities.

Cattle
prohibited
from
running
at large.

SEC. 453. From and after the first day of June next no cattle of any kind shall be permitted to run at large in the City of Atlanta. Any person owning or controlling any cattle that shall be allowed to run at large in said city, in violation of the above section, shall on conviction, be fined in a sum of not more than one hundred dollars, or imprisoned not longer than thirty-days, either or both, in the discretion of the court.

Penalty.

Im-
pounded.

SEC. 454. The cattle so found running at large shall be taken up by any member of the police force, and confined in a place to be provided for that purpose, and if unclaimed within twenty-four hours, the Chief of Police shall, after advertising the same for three days in one of the city daily papers, proceed to sell the same to the highest bidder, and the sum realized from the sale thereof shall be held subject to the claims of such owner for six months, during which time the owner may, upon proper proof of ownership, and the payment of cost of advertisement and sale, and fifty

Advertised
and sold.

cents per day for each head of cattle kept by the city for such length of time, as they were kept before sale, for expenses of keeping the same, receive the same, and upon his failure to make such proofs within six months from the date of sale, the proceeds as aforesaid shall be added to the receipts of the Recorder's Court, and as such go into the City Treasury.

SEC. 455. That from and after the first of June, 1890, no person shall be permitted to herd or graze cattle or other stock on any lot within the corporate limits of said city without first securing permission in writing from the owner, or agent of the owner, of such lot. And any person so offending shall, on conviction before the Recorder of said city, be punished by a fine not exceeding one hundred dollars, or by imprisonment not longer than thirty days, either or both in the discretion of the court.

SEC. 456. Any cattle or other stock found upon any lot, contrary to the provisions of this ordinance, shall be considered as running at large, and shall be taken up, advertised or sold, in accordance with the provisions of section 392 of the City Code of 1886.

CHAPTER XX.

CRUELTY TO ANIMALS.

SECTION.

457. Cruelty to animals punished.

SECTION.

458. Muzzling

SECTION 457. Any person or persons in this city who shall overload, or cruelly treat, maim, bruise, deprive of necessary sustenance, ill use, or in any manner whatsoever torture, or abuse, any animal or animals, shall, upon conviction thereof, be punished by a fine not exceeding fifty dollars and costs, for each and every offense against this section, or imprisonment not exceeding thirty days. All conflicting ordinances and sections are hereby repealed.

Disposition
of proceeds
of sale.

May 7, 1883.

Not graze
on lots
without
written
permission
of lot
owner.

Penalty.

May 23, 1890

Cruelty to
animals.

June 18, '83.

Penalty.

Muzzling
calves.

SEC. 458. That any person having within the corporate limits cows and calves for sale, who shall keep the calves muzzled, or shall otherwise prevent them from sucking, shall be arrested by the police force, and taken before the Recorder, and fined for the same in a sum not exceeding ten dollars, or be imprisoned not exceeding five days.

Mar. 5, 1877

CHAPTER XXI.

DOGS.

SECTION.

- 459. Running at large.
- 460. Tags.
- 461. Claimant.
- 462. Record of purchasers of tags.
- 463. Unclaimed dogs killed.

SECTION.

- 464. L. P. Grant Park.
- 465. Penalty.
- 466. Bitches to be kept off streets when in heat.

Running
at large.

SECTION 459. No dog shall be permitted to run at large in the City of Atlanta, unless such dog shall wear a tag or plate, such as is prescribed by this ordinance; and any dog found without such tag shall be caught by any member of the police force, or any other person, and imprisoned in a pen, to be kept at the calaboose for that purpose; and the sum of fifty cents shall be paid from the City Treasury for every dog thus brought to the calaboose.

Tags.

SEC. 460. Each year the chairman of the Tax Committee may have dog tags prepared and have a list made of same, which shall be turned over to the Comptroller, who shall copy the same in a book with consecutive numbers of the tags, which shall be charged up to the City Clerk and sold by him at one dollar and twenty-five cents Clerk's fee for each tag. The Clerk shall return daily to the Treasurer the money received from sale of tags, reporting to the Comptroller the amounts so received, name of purchasers and number of tags, and upon exhibition of the receipt of the Treasurer shall receive credit and the Treasurer be debited with the amount. Said tag shall only be good for one year.

Jan. 3, 1889.

SEC. 461. The owner of any dog caught and imprisoned as aforesaid, shall be entitled to the possession of said animal upon the proof of ownership, and the payment of one dollar into the City Treasury, and the purchase of a tag at the price aforesaid. Claimants.

SEC. 462. The Clerk shall keep a record of all persons who procure such tags, and if any person shall counterfeit or use any tag not purchased as aforesaid, he or she shall, on conviction, be fined not exceeding forty dollars and all costs. Record of purchasers of tags.

SEC. 463. All dogs not claimed within twenty-four hours after being caught and imprisoned as aforesaid, shall be conveyed by the Marshal, or other police officer, outside the city limits and killed. Unclaimed dogs killed

SEC. 464. That from and after the passage of this ordinance, it shall not be lawful for any person to permit his or her dog or dogs within the limits of the L. P. Grant Park. Dogs not allowed in L. P. Grant Park.

SEC. 465. Any person violating this ordinance shall, upon conviction thereof before the Recorder, pay a fine not exceeding \$10.00 and costs of trial, or be imprisoned not exceeding thirty days, in the discretion of the court. Feb. 7, 1887. Penalty.

SEC. 466. It shall be unlawful for the owner of any female dog to allow such dog to run at large, while in heat; and for every such offense the owner of such dog shall, upon conviction, be fined in a sum not exceeding one hundred dollars, or imprisonment in the city chain-gang, not exceeding thirty days, either or both, in the discretion of the court. Female dogs in heat not to run at large. Owner fined and dog killed.

And it shall be the duty of any policeman to kill said dog, when caught outside of her owner's enclosed premises, when in heat. July 9, 1890.

CHAPTER XXII.

DRAINAGE, INCLUDING ALSO PLUMBING AND HOUSE
DRAINAGE.

SECTION.

- 467. Lots and cellars.
- 468. Nuisances on lots.
- 469. Filth from privies.
- 470. Obstructing water.
- 471. Plumbing, regulation of.
- 472. Material.
- 473. Direct arrangement.
- 474. Expose pipes to view.
- 475. Water closets ventilated.
- 476. Separate connection.
- 477. Pipes and cement.
- 478. Sewer connections, how made.
- 479. Cast iron house drains.
- 480. Lay in straight lines.
- 481. Traps.
- 482. Inlets for fresh air.
- 483. Brick, etc., not used.
- 484. Iron waste pipes.
- 485. Vent pipes extend above roof.
- 486. Size of lead pipes.
- 487. No traps on what pipes.
- 488. Joints must be gas tight.

SECTION.

- 489. How lead and iron pipes connected.
- 490. Wiped joints.
- 491. Traps for closets, etc.
- 492. Traps near fixtures.
- 493. Strainers.
- 494. Bath tubs and water closets separately trapped.
- 495. Traps protected from syphonage.
- 496. Vents regulated.
- 497. Traps not used as waste pipes.
- 498. Overflow pipes.
- 499. Safes have special pipes.
- 500. Refrigerators, how drained.
- 501. Closets, how supplied with water.
- 502. Out-door closets, how flushed.
- 503. Rain water leaders.
- 504. Indoor leaders.
- 505. Steam exhausts.
- 506. Tenement houses.
- 507. Notice to Board of Health.
- 508. Penalty.

Lots and
cellars to
be drained.

SECTION 467. All lots and cellars within the city limits shall, by their owners and occupants, be kept in such condition as not to allow any water to stagnate, or otherwise become offensive or unhealthy, or any other nuisance to exist thereon; and upon conviction of a violation of this ordinance, such owners or occupants may be fined not exceeding ten dollars or imprisoned not exceeding ten days, for each day such nuisance exists after the notice hereinafter provided for has been served.

Nuisances
from stag-
nant water.

SEC. 468. The Marshal or Deputy Marshal shall give said owners or occupants written notice of the existence of such nuisances, and after three days from the time of said notice, shall proceed to abate the nuisance by draining said lots and cellars, or otherwise, as may be necessary; and the Clerk of Council shall issue execution for the costs of such abatement against said owners or occupants, and the lot on which such nuisance may exist.

SEC. 469. It shall be unlawful for any person to convey, discharge or deposit the filth of his or her privy, or allow the same to be done, upon the streets of the city, or the property of another person; but it may be discharged by any private sewer into any public sewer discharging into running water. Any person violating this ordinance shall be arrested and fined by the Recorder in a sum not exceeding ten dollars and costs for every day, or twenty days work upon the chain-gang, if such nuisance so committed continues; and the nuisance, if not abated by the offender, shall be abated by the Marshal at the offender's expense.

SEC. 470. Any person who shall, by the erection of a dam, or obstruction of any kind, prevent the natural flow of water, and cause the same to be dammed up or collected in pools upon any lot in this city, or any street or alley, or shall cause to be done any work the effect of which will be to cause any such damming up or collection in a pool or pools, shall be arrested and brought before the Recorder, and, upon conviction, shall be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned not to exceed thirty days, or either, or both, in the discretion of the Recorder, for each day such obstruction shall remain, or such work shall be carried on: *Provided*, that the above shall not prevent owners, or others from filling up lots as they may desire, if sufficient drainage or surfaceage is provided through or across the same for such natural flow; and, *provided*, that the above shall not prevent the changing of the grade of any street as may be for the public interest.

SEC. 471. All plumbing and house drainage, in both public and private buildings within the City of Atlanta, shall be done according to the rules and specifications herein contained, and it shall be the duty of the Board of Health to provide regulations to insure the enforcement of this ordinance.

SEC. 472. All materials shall be of good quality and free from defects; the work shall be executed in a thorough and workman-like manner.

Filth from
privies.

Obstruct-
ing water.

Regulating
plumbing
and house
drainage.

Oct. 1, 1888.

Material
and work.

Soil and
waste-pipes
and traps.

SEC. 473. The arrangement of soil and waste-pipes shall be as direct as possible.

SEC. 474. The drain, soil and waste-pipes and the traps shall, if practicable, be exposed to view for ready inspection at all times, and for convenience in repairing. When necessarily placed within partitions or in recesses of walls, soil and waste-pipes shall be covered with wood-work, so fastened with screws as to be readily removed. In no case shall they be absolutely inaccessible.

Ventila-
tion of
water-
closets.

SEC. 475. All interior water-closet compartments shall be ventilated by windows into the open air, or into air-shafts of not less than three square feet in area.

Separate
sewer con-
nections
for all
buildings.

SEC. 476. Where there is a sewer in the street every house or building shall be separately and independently connected with it. When possible, such connection shall be made directly in front of the house.

Glazed
pipes used.

SEC. 477. Where the soil consists of a natural bed of loam, sand or rock, the house sewer may be of hard, salt-glazed and cylindrical earthenware pipe, laid on a smooth bottom, free from all projections of rock, and with the soil well rammed to prevent any settling of the pipes. Each section shall be wetted before applying the cement, and the space between each hub and the small end of the next section shall be completely and uniformly filled with the best hydraulic cement. Care shall be taken to prevent any cement being forced into the drain to become an obstruction. No tempered up cement shall be used. A straight edge shall be used inside the pipe, and the different sections shall be laid in perfect line on the bottom and sides: *Provided always*, that only cast iron pipe shall be used from the lower end of the main vertical soil-pipe to a point beyond the house, foundation or area line.

Private
sewers,
how laid.

SEC. 478. Where there is no sewer in the street, and it is necessary to construct a private sewer to connect with a sewer in an adjacent street or avenue, it shall be laid outside of the curb, under the roadway of the street on which the

houses front, and not, when otherwise practicable, through the yards or under the houses.

SEC. 479. The house drain shall be of cast iron, with a fall of at least one-quarter inch to the foot, and when water-closets discharge into it, the house drain shall be at least four inches in diameter. Cast iron house drains.

SEC. 480. It shall be laid in a straight line if possible. All changes in direction shall be made with curved pipes, and all connections with Y-branch pipes and one-sixteenth or one-eighth bends if possible. Under no circumstances shall more than one-sixth bends be used. Straight lines.

SEC. 481. A running or half-S trap shall be placed on the house drain at an accessible point near the house. This trap shall be furnished with a hand-hold for convenience in cleaning, the cover of which shall be properly fitted and made gas and air-tight with some suitable cement properly applied. Traps on house drains.

SEC. 482. There shall be an inlet for fresh air to enter the drain just inside of the trap described in the foregoing section, of at least four inches in diameter, leading to the outer air and opening at some suitable place not less than ten feet from the nearest window. No cold-air box for a furnace shall be so placed that it can possibly draw air from this inlet pipe. Fresh air inlets.

SEC. 483. No brick, sheet-metal, earthenware or chimney-flue shall be used as a sewer ventilator, or to ventilate any trap, drain, soil or waste-pipe. Ventilators

SEC. 484. Every vertical soil and main waste-pipe shall be of iron, and it shall extend at least two feet through the roof, and have a diameter above the roof not less than that of the pipe proper, and in no case shall it be less than four inches in diameter above the roof. Iron waste-pipes.

SEC. 485. Soil, waste and vent-pipes in an extension shall be extended above the cornice or roof of the main building when otherwise they would open within twenty feet of the windows of the main house or of the adjoining house. To go above roof

- Size of pipe. SEC. 486. When lead pipe is used to connect fixtures with vertical soil or waste-pipes, or to connect traps with vertical vent-pipes, it shall not be lighter than D-pipe.
- No traps on soil or waste-pipe. SEC. 487. There shall be no traps on main vertical soil or waste-pipes.
- Gas-tight joints. SEC. 488. All joints in iron drain-pipes, soil-pipes and waste-pipes shall be so filled with oakum and lead and hand-calked as to make them gas-tight.
- Lead and iron pipes, how connected. SEC. 489. All connections of lead with iron pipes shall be made with a brass sleeve or ferrule of the same size as the lead pipe, put in the hub of the branch of the iron pipe and calked with lead. The lead pipe shall be attached to the ferrule by a wiped or overcast joint.
- Wiped joints. SEC. 490. All connections of lead, waste and vent-pipes shall be made by means of wiped joints.
- Traps for closets, etc. SEC. 491. Every water-closet, urinal, sink, basin, wash tray, bath, and every tub or set of tubs, and hydrant waste-pipe, and every area and court-yard drain connected with a sewer, shall be separately and effectively trapped.
- Traps near fixtures. SEC. 492. Traps shall be placed as near the fixtures as practicable, and in no case shall a trap be more than two feet from the fixture.
- Strainers. SEC. 493. All waste-pipes from fixtures, other than water-closets, shall be provided at the inlet of such fixtures with strong metallic strainers to exclude from such waste-pipes all substances likely to obstruct them.
- Bath-tubs separately trapped. SEC. 494. In no case shall the waste from a bath-tub or other fixture be connected with a water-closet trap.
- Traps protected from syphonage. SEC. 495. Traps shall be protected from syphonage, and the waste-pipe leading from them shall be ventilated by a special air-pipe, in no case less than two inches in diameter for water-closet traps, and one inch and a half for other traps, except when special anti-syphon fixtures or devices, which render the trap-vent unnecessary, are used; which fixtures and devices shall first be approved in each case by the Board of Health. In all cases vertical vent-pipes shall be of cast or wrought iron.
- Vents regulated.

SEC. 496. Vent-pipes shall extend at least two feet through the roof, or the single or combined pipes may be connected above the highest fixture with the main vertical vent-pipe. They may be combined by branching together those which serve several traps, but the area of the combined pipes shall not be decreased. These air-pipes shall always have a continuous slope to avoid collecting water by condensation.

Continu-
ous slope.

SEC. 497. No trap vent-pipe shall be used as a soil or waste-pipe.

SEC. 498. Overflow pipes from the fixtures shall in each case be connected on the inlet side of the trap.

Overflow
pipes.

SEC. 499. Every safe under a wash-basin, bath, urinal, water-closet or other fixture shall be drained by a special pipe not directly connected with any soil pipe, waste-pipe, drain or sewer, but discharging into an open sink upon the cellar floor or upon the ground outside the house. The outlets of such pipes should be covered by flap-valves.

Special
pipes for
wash-
basins, etc.

SEC. 500. The drain-pipe from refrigerators and the drain-pipe from the supply-pipe shall not be directly connected with the soil or waste-pipe, or with the drain or sewer; it should discharge into an open and water-supplied sink, or it may discharge upon the ground in such a manner as will not create a nuisance.

Refriger-
ators, etc.,
how
drained.

SEC. 501. All water-closets within the house shall be supplied with water from special tanks or cisterns, the water of which is not used for any other purpose. The closets, except closets placed in the yard, shall not be supplied directly from the supply pipes. A group of closets may be supplied from one tank, but water-closets on different floors shall not be flushed from one tank. No direct connecting closets will be allowed within the house.

Water-
closets, how
furnished
with water.

SEC. 502. Water-closets, when placed in the yard, shall be so arranged as to be conveniently and adequately flushed, and their water supply pipes and traps shall be protected from freezing. The compartments for such water-closets shall be ventilated by means of slatted openings.

Out door
closets.

Rain-water
leaders.

SEC. 503. Rain-water leaders shall not be used as soil, waste or vent-pipes, nor shall any soil, waste or vent-pipe be used as a leader.

Cast iron
leaders.

SEC. 504. When within the house, the leader shall be of cast iron with leaded joints, or of copper with soldered joints. When connected with the house drain, it shall be trapped beneath the ground, or just inside of the wall, the trap being arranged in either case so as to prevent freezing. In every case where a leader opens near a window or light shaft, it shall be properly trapped at its base.

Steam
exhausts.

SEC. 505. No steam-exhaust or blow-off pipe from a steam boiler shall connect with any soil or waste-pipe, or directly with the house-drain or sewer. They should discharge into a tank or condenser, the waste from which, if to be discharged into the sewer through the house-drain, shall be connected on the sewer side of the house or running trap.

Tenements

SEC. 506. The general water-closet accommodations of tenement or lodging houses, or of office buildings, or of any building in which said accommodations are permitted to be used by the public, shall not be placed in the basement or cellar, but they shall be so located and constructed that no offence or nuisance may be caused.

Notice to
Board of
Health.

SEC. 507. Notice in writing shall be given to the Board of Health, by the contractor, builder or plumber, in all cases of new work, or the remodeling of old work, or in any and all cases in which repairs involve the removal of fixtures, or changes in the location or arrangement of fixtures, when the work is sufficiently advanced for inspection, and no part of the work shall be covered or concealed in any way until after it has been examined by an inspector of the Board of Health. And the contractor, builder or plumber shall test the work to the satisfaction of the inspector, after plugging all openings, by filling the soil-pipes and vent-pipes with water, for the purpose of detecting any imperfect joints, or any other defect in the material or workmanship, which may permit the escape of foul air into

or under the house; and all such defects that may exist shall be made good, as provided in this ordinance. Any plumbing work, as aforesaid, or any house sewer, or any house-drain put up in and covered without due notice to the Board of Health, shall be uncovered for inspection by direction of the inspector. And the contractor, builder or plumber who may be in charge of the work, and who may be responsible therefor, shall be subject to the penalties prescribed in this ordinance for any violation of the provisions of this section.

SEC. 508. Any plumber, or other person who shall violate any of the provisions of this ordinance, or any person who shall knowingly permit any violation of any of the provisions thereof upon premises owned or controlled as agent ^{Penalty.} or otherwise by them, shall, after conviction in the Recorder's Court, be fined not more than one hundred dollars, ^{Oct. 1, 1888.} or imprisoned for not more than thirty days, either or both, in the discretion of the court.

CHAPTER XXIII.

DRAYS AND HACKS.

SECTION.

- 509. Licenses.
- 510. Not dray without license.
- 511. Refusal to haul.
- 512. Unlicensed drays not to be employed.
- 513. Rates of charges.
- 514. Refusal to pay hire.
- 515. Boisterous driving.
- 516. Standing in streets.
- 517. Numbers.
- 518. Hack hire fixed.
- 519. Penalty for over charging.
- 520. Refusal to pay hack fare.
- 521. Number lamps lighted.

SECTION.

- 522. Drivers over 18 years old.
- 523. Post schedule of rates.
- 524. Rendezvous for hacks.
- 525. No other place occupied.
- 526. Drivers not leave vehicles.
- 527. Not congregate, where.
- 528. Not drum under car shed.
- 529. Not board trains.
- 530. Penalty.
- 531. Furniture wagons rendezvous.
- 532. Must stay there.
- 533. Drivers and helpers stay on wagon.
- 534. Turf or grass not hauled without written consent of land-owner.

SECTION 509. Any person having or using a dray, wagon, ^{Licenses to be obtained.} or other vehicle in the City of Atlanta, drawn by a horse or horses, or other animal or animals, for transporting persons, goods, wares or merchandise, or any other thing or things,

to or from the depots, or other place or places in said city, for hire, shall first apply to the Clerk of Council and obtain a license: *Provided*, such applicants shall first file a bond in the sum of two hundred and fifty dollars, with good security, to be approved by the Clerk of Council, for the proper care and safe delivery of all goods entrusted to such person, or his agent. And for any vehicle drawn by one horse or other animal, he, she, or they shall pay twenty dollars; and by two horses or other animals, forty dollars, and the Clerk's fee, for one year. License may be granted for six months for half the amount specified.

Licensed
draymen
only are
authorized
to dray.

SEC. 510. Any person who shall carry persons, or haul, or dray for hire, without having first obtained a license, as stated in the preceding section, shall, upon conviction under this ordinance, pay a fine of not exceeding one hundred dollars and cost, or be imprisoned in the calaboose not over thirty days, or both, in the discretion of the court.

Penalty
for refusal
to haul.

SEC. 511. Any person having and using a licensed dray, or other vehicle, who shall, through ill-will or obstinacy, or without sufficient cause, refuse to dray, haul or carry, when money is tendered, when requested by any person, shall, on conviction, be subject to a fine of not exceeding one hundred dollars and costs, or imprisoned as in last section, or both, in the discretion of the court.

Penalty for
employing
unlicensed
draymen.

SEC. 512. Any merchant, or other person, who shall knowingly employ any drayman, with any team of horses, or other animals, or horse, or other animal, and vehicle or carriage, to haul or convey any goods, wares or merchandise, or other thing or things, to or from any place in the City of Atlanta, for which there is no license, shall, upon conviction before the Mayor, or in his absence before three members of Council, of so doing, be fined in a sum not exceeding one hundred dollars and costs.

Rates of
charges.

SEC. 513. No person having or using a licensed dray shall charge or collect more than the following rates, to-wit: For each hogshead of molasses, \$1.00; for each hogshead of sugar, 75 cents. Flour, meal, bacon, and all kinds of grain,

fresh meats of all kinds, salted or otherwise, lard, and all other articles of merchandise, and provisions, or other articles, per load of eighteen hundred pounds, and bulk freight that can be safely transported, 25 cents. For a one-horse dray or other animal dray load of nine hundred pounds, or bulk freight that can be conveniently carried, 15 cents. For all parts of loads and small articles charges may be made in proportion—no charge, however, required to be less than twenty-five cents, unless otherwise agreed on—a copy of which rates shall be put on each license when issued by the Clerk, and which rates may be changed at any time by a resolution to that effect.

SEC. 514. Any person procuring the services of a drayman and dray, and furniture driver or furniture wagon, car, or cart, and having become liable to pay for the same, as above specified, who shall fail or refuse so to do, or any drayman, or any person having control of a dray, who shall charge or receive more than the before-stated rates of drayage, (unless otherwise agreed on) shall be subject to a fine not exceeding one hundred dollars and costs, on conviction, or be imprisoned not exceeding thirty days, or both, at the discretion of the court.

SEC. 515. If any driver of such vehicle or any drayman, shall drive in a rude, boisterous, disorderly, dangerous or hurtful manner, or in such a manner as to put any person in fear of bodily hurt, or shall cause bodily hurt or damage to the property of any person, he shall, on conviction, be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned in the calaboose or jail not over thirty days, or both, at the discretion of the court.

SEC. 516. No drayman or driver of any vehicle shall allow his dray, vehicle or team to stand in a public street, and if through his carelessness or neglect his team runs away, he may on conviction thereof, be made to pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not over thirty days.

Refusal to
pay hire.

Driving
in a
boisterous
manner.

Standing
in streets.

Numbers.

April 2, '71.

Prices hack
drivers
may chargePenalty for
over chargeRefusing
to pay
hack hire.

Penalty.

Oct. 15, 1877

SEC. 517. Each hack and dray license shall have a number thereon, and the drayman or owner shall keep that number on his hack or dray, and for failure so to do, may be fined five hundred dollars and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the court.

SEC. 518. It shall not be lawful for any person or persons engaged in driving a hack within the limits of this city to charge for one trip more than the following prices, to-wit: For one-horse vehicle, twenty-five cents, each person; for two-horse vehicle, fifty cents each person: *Provided*, that double the price herein named may be charged between 10 o'clock P. M. and 5 o'clock A. M.

SEC. 519. Any person or persons violating the provisions of the above ordinance, shall, on conviction before the Recorder, Mayor or Mayor *pro tem.*, be fined not more than twenty-five dollars and costs, or imprisonment not exceeding thirty days, or both, at the discretion of the court, for each and every offence or violation.

SEC. 520. Any person or persons engaging or using a hack in this city, not intending to pay for the same at the time such hack is engaged, but with intent to defraud the owner or driver of such hack out of the value of the use thereof (and every employment of such hack shall be held to be for cash unless time is contracted for when the engagement is made) and shall fail or refuse to pay such driver his lawful hire at the end of the trip or time for which such employment was made, shall be arrested or summoned by any police officer or policeman to appear before the Recorder's Court to answer a charge of violating this section of the City Code, and on conviction before his Honor the Recorder, Mayor, or Mayor *pro tem.*, shall be fined not exceeding twenty-five dollars, (\$25.00), or imprisoned not exceeding thirty days, or both, in the discretion of the court.

SEC. 521. All persons owning or controlling hacks in the city shall keep upon said hacks suitable lamps with the number of said hack painted thereon, and shall keep said lamps lighted at night. Any person violating this ordinance shall, on conviction, be fined not exceeding one hundred dollars, or imprisoned not longer than thirty days.

Shall keep
numbered
lamps
lighted
at night.

Sept. 19, '81

Penalty.

SEC. 522. Hereafter no license shall be granted to run a hack upon the streets of the city to any person under eighteen years of age, nor shall any hack be left, by any person owning or controlling the same, for any period of time in control of a person under said age; nor shall any such person refuse to haul a passenger when not otherwise engaged under the penalty provided in section 511 of this Code.

License
granted to
persons
over 18
years old.

SEC. 523. All persons owning and controlling hacks shall post in a conspicuous place in said hack a printed schedule of prices, to be furnished by Clerk of Council upon the issuance of license, and keep the same so posted during the continuance of said license. Any person controlling any hack who shall violate this or the preceding section shall, upon conviction, be punished by a fine not exceeding one hundred dollars, or imprisoned not longer than thirty days.

Post
schedule
of charges.

Sept. 20, '90.

Penalty.

SEC. 524. From and after the passage of this ordinance it shall be the duty of the Chief of Police to designate some central and convenient place in the City of Atlanta as a general rendezvous for all hacks kept and run for hire, and that said officer may, from time to time in his discretion, change said rendezvous.

June 2, 1879

Rendez-
vous for
hacks.

SEC. 525. After the passage of this ordinance it shall be unlawful for any hackman to occupy any other place than the one designated as a place of rendezvous, and upon the violation of the provisions of this ordinance, the offender shall be fined in a sum not exceeding one hundred dollars, or imprisoned at labor not exceeding thirty days.

Hacks
must
occupy.

Penalty.

SEC. 526. Any driver or person in charge of any hack or public vehicle, who shall leave his hack for the purpose of soliciting patronage, shall not approach nearer than the

Drivers of
hacks, etc.,
shall not
leave
vehicles.
Sept. 17, '88.

curbstone of the sidewalk, and shall remain immediately opposite his hack or vehicle. And a violation of this ordinance shall be punished by a fine not exceeding one hundred dollars, or imprisoned not exceeding thirty days.

Rendez-
vous for
drays and
hacks.

Not on
Broad
street near
bridge.

Oct. 4, 1886.

SEC. 527. That it shall be unlawful, after the passage of this ordinance, for wagons to congregate on Broad Street between the bridge and Alabama Street, and any person or persons who shall fail or refuse to move their wagon or wagons after having been notified to do so by any member of the police force, or the Chief of the Fire Department, shall, upon conviction before the Recorder, pay a fine of not more than \$25.00, or be imprisoned not longer than 30 days, either or both in the discretion of the court.

There shall be no drumming for passengers by hackmen, or other persons, under the car-shed in this city, to ride in cabs, hacks, gurneys, hansoms, or other public vehicle.

No drum-
ming
under car
shed for
passengers
by hack-
men and
others.

SEC. 528. It shall be unlawful for any person to sell tickets to passengers under the car-shed in this city, to ride in hacks, cabs, gurneys, hansoms, or other public vehicles, or to make a contract with the passengers under the car-shed for transportation therein, and then show passengers to vehicle outside the depot.

Owners or
agents of
hacks, etc.,
shall not
board
trains to
solicit.

Oct. 17, 1887

SEC. 529. It shall be unlawful for any person or persons, his or their agents or employees, interested in the running of cabs, hacks, gurneys, hansoms, or other public vehicles in this city, to board trains under the car-shed for the purpose of drumming with passengers to engage or hire certain hacks, cabs, hansoms, gurneys, or other public vehicles, or while on the trains under the car-shed to do so.

Penalty.

SEC. 530. Any person or persons, his or their agents or employees, violating any of the foregoing provisions, on conviction thereof in the Recorder's Court, shall pay a fine not to exceed \$100.00, or be imprisoned not to exceed thirty days, either or both, in the discretion of the court.

Rendez-
vous for
furniture
wagons
and drays.

SEC. 531. It shall be the duty of the Chief of Police to designate central and convenient places in the City of Atlanta, a rendezvous for all furniture wagons and all drays

kept and run for hire, and said officer may from time to time, in his discretion, change said places of rendezvous, and shall designate such place with a view to the least interference with business of such wagon and drays, and business interest of merchants and others. In designating such places of rendezvous, said officer shall not allow more than four of any such vehicles to occupy as rendezvous one block of the same street, and these shall be far enough apart to admit of passage of vehicles and pedestrians between each such dray or wagon on each side thereof. Feb. 18, '89.

SEC. 532. After the passage of this ordinance it shall be unlawful for any drayman or wagoner, as aforesaid, to occupy as a rendezvous any other place than the one designated for him as aforesaid, and any person violating any of the provisions of the foregoing ordinance, shall, on conviction thereof, be fined in a sum not exceeding one hundred dollars, or imprisoned at labor not exceeding thirty days. Penalty.

SEC. 533. That while the furniture wagons are at said rendezvous, the drivers and helpers shall stay on their wagons.

SEC. 534. Hereafter any person hauling or removing any grass turf or sand in the city without having a written permit from the owner of the land (or his agent,) from which said grass turf or sand was taken, shall, on conviction thereof, be fined by the City Recorder not more than one hundred dollars, or imprisonment in the chain-gang for not more than thirty days, or both, in the discretion of the court. Turf, etc., not removed without written consent of land owner Mar. 6, 1890

CHAPTER XXIV.

ELECTIONS FOR MAYOR, ALDERMEN, AND COUNCILMEN.

SECTION.

535. Annual municipal election.

536. Mayor's election.

537. Voting places.

SECTION.

538. Polls, when opened.

539. Managers.

Annual
election.

SECTION 535. That the regular annual municipal election of the City of Atlanta shall be held on the first Wednesday in December of each and every year, at which time there shall be elected an Alderman, or Aldermen, and one Councilman from each of the six wards.

Mayor.

Nov. 20, '76.

SEC. 536. That the next election held under the foregoing section of this ordinance,* and biennially thereafter, there shall be elected a Mayor of said city.

Voting
places.

Nov. 20, '90.

SEC. 537. That the voting places for the several wards in this city, from and after the passage of this ordinance, for all regular, special or other municipal elections, or other elections held by or under the authority of this city, shall be as follows, or as near the places named below as suitable places for holding the same, can be obtained, to-wit:

First Ward—Corner Broad and Mitchell streets.

Second Ward—Chamber of Commerce Building, corner Pryor and Hunter streets.

Third Ward—Corner Fair and Fraser streets.

Fourth Ward—Corner Wheat and Jackson streets.

Fifth Ward—Junction Marietta and Walton streets.

Sixth Ward—Corner Pryor and Edgewood Avenue.

Polls, when
open'd, etc.

SEC. 538. That the polls shall be opened at each of the voting places at 7 o'clock A. M., and closed at 6 o'clock P. M., on the day of election.

Managers
consolidate
vote.Clerk
report to
General
Council.

SEC. 539. The managers for the several wards shall meet in the office of the City Clerk on the day following the election, at 12 o'clock M., and consolidate the votes cast for each office to be filled; and the Clerk of Council shall report this consolidated return to the next meeting of the

*Note.—Mayor, Aldermen and Councilmen ineligible by charter to re-election; and also ineligible to any other municipal office.

Mayor and General Council, and it shall be entered on the minutes of that body which shall declare the result of the election.

CHAPTER XXV.

FIRE DEPARTMENT.

SECTION.

- 540. Apparatus.
- 541. Officers.
- 542. Chief's salary.
- 543. Divisions of department.
- 544. Board Fire Masters.
- 545. Police powers.
- 546. Vacancies filled.
- 547. Rules.
- 548. Dismissal.
- 549. Sickness of chief.
- 550. Right-of-way to fire and police machines.
- 551. Vehicles keep off.
- 552. Alarm, when given.
- 553. Alarm, not meddled with.
- 554. Penalty.
- 555. Plugs and cisterns.
- 556. Duties of chief.
- 557. Duties of foremen.

SECTION.

- 558. Duties of engineers.
- 559. Duties of stokers.
- 560. Duty of drivers.
- 561. Duty of runners and ladder-men.
- 562. Duty of call men.
- 563. Substitutes.
- 564. House regulations.
- 565. General regulations.
- 566. Alarm regulations, etc.
- 567. Uniforms.
- 568. Plugs examined.
- 569. Letters copied.
- 570. Employees assigned.
- 571. Rules studied.
- 572. Meeting of fire-masters.
- 573. Use of water during fires.
- 574. House in streets, notify chief.
- 575. Penalty for violations.

SECTION 540. That the Fire Department of the City of ^{Apparatus.} Atlanta, after the first day of July next, shall consist of three steam fire engines, one reserve steam fire engine, four hose reels, one hook and ladder truck, and such horses and mules, hose, fuel wagons and other appliances as may be deemed necessary by the Mayor and General Council.

SEC. 541. That the officers of the Fire Department shall ^{Officers.} consist of a Chief, with the foreman of each fire company as assistants. The Chief of the Fire Department shall also be Superintendent of the Electric Fire Alarm Telegraph, and shall be elected by the Mayor and General Council at their first regular meeting in June, 1882, and continue until 1st July, 1883, when his successor shall be elected at the same time other city officers are elected, and biennially thereafter.

Salary
of Chief.

SEC. 542. That the salary of the Chief shall be fixed before his election, and shall not be changed during his term of office. From the first day of January, 1891, it shall be four thousand dollars per annum, payable in monthly installments, and the Chief shall not receive any additional compensation for the discharge of his duties from any person, firm or corporation whomsoever. He shall give a bond of one thousand dollars for the faithful performance of his duties.

Division
of depart-
ment.

SEC. 543. That the Fire Department shall be divided into two steam fire engine companies, each consisting of one foreman, one engineer, one stoker and one driver; two hose reels to be connected with the two steam fire engine companies, under the command of the foreman of said fire engine companies, and shall each be operated by five runners and one driver; two hose reel companies shall each consist of one foreman, one driver and five runners; and one hook and ladder company shall consist of one foreman, one driver and five runners, all of whom shall be paid as the Mayor and General Council may provide; except where the said Board of Fire-masters shall see it is to the interest of the city to employ what shall be termed call-men, who shall be paid not more than twelve dollars and fifty cents per month, and whose duty it shall be to attend all fires, and there perform such duty as may be assigned to them by the officers in command.

Mar. 23, '82.

Board Fire
Masters.

SEC. 544. That the Fire Department shall be under the immediate control of a committee composed of the Mayor, the Chief, two Aldermen and the Fire Department Committee of the General Council, which shall be known as the Board of Fire-masters, whose duty it shall be to employ the necessary men, and purchase all material for the proper working of the Department, subject to the approval of the Mayor and General Council. The Chief shall act as Secretary of said board, and shall keep a book of minutes of the proceedings of the board, and also all accounts that may relate to the Fire Department.

SEC. 545. That the Chief and Foreman of each company be, and they are hereby vested with all the powers of a police officer of the city, in so far as to make arrests within the city. Police powers.

SEC. 546. That the Chief shall have the power, if, in his opinion, the interests of the city demand it, to fill temporarily any vacancy caused by sickness, disability or absence of any member of the Department, and that such temporary appointee shall receive the pay allowed to the position filled, and be subject to all the rules and regulations of the Department. Vacancies, how filled.

SEC. 547. That the Board of Fire-masters shall have the power to make such rules and by-laws for the government of the Department as shall to them seem most expedient, not in conflict with this ordinance of the City Charter. Rules, etc.

SEC. 548. That the Board of Fire-masters shall have the power to suspend at will, also to fine or dismiss, any of the officers or men who shall have been employed by said board, for any violation of the rules of the Department, after a full and impartial hearing and trial shall have been given to said officers or men by the said board, at a meeting to be called for that purpose. Dismissal.

SEC. 549. That in the event of absence or sickness of the Chief, he shall appoint a member of the Department to fill his place. The Chief shall not absent himself from the city without the consent of the Board of Fire-masters. Sickness of Chief.

SEC. 550. That in the event of an alarm of fire being given from the central station, the apparatus of the Fire Department shall have the right-of-way in and upon the streets, lanes, alleys, squares and railroad crossings in going to any fire, or being upon such streets, lanes, alleys, squares or railroad crossings. No person shall obstruct or neglect to make way for any such apparatus being thus in or upon any of said streets, lanes, alleys, squares or railroad crossings, under a penalty of not less than five dollars nor more than one hundred dollars for every offense, or, in default of payment, to an imprisonment of not more than thirty Rights of way must be given to Fire and Police Machines.

days. The police patrol wagon shall at all times have the same right-of-way as the fire apparatus.

Vehicles
not driven
on street
when de-
partment
is at work.

SEC. 551. That it shall not be lawful for any person or persons whomsoever, to ride or drive a vehicle through the streets and lanes in which the Fire Department are assembled for the purpose of extinguishing a fire, and should any person or persons attempt to ride or drive a vehicle through the streets and lanes in which the Fire Department are assembled for the purpose aforesaid, he or they shall be arrested by any officer authorized to make such arrest, and, on conviction, be fined a sum not exceeding fifty dollars, or be imprisoned not exceeding thirty days, or both, at the discretion of the court.

Alarm,
when
given.

SEC. 552. That it shall be unlawful for any person or persons to give or cause to be given a false alarm of fire with intent to deceive, or to pull the slide of any station or signal box, except in case of fire; and any person or persons guilty of a violation of the provisions of this section, shall, upon conviction, be fined in a sum not exceeding two hundred and fifty dollars, or be imprisoned not exceeding thirty days, or both, at the discretion of the court.*

Fire alarm,
interfer-
ence with
prohibited.

Aug. 3, 1885

SEC. 553. That from and after the passage of this ordinance it shall be unlawful for any person to injure, destroy, or in any manner interfere with the electric fire alarm of said city, or with the batteries, boxes, stations, wires, or other apparatus or appurtenances thereof, or used in connection therewith.

SEC. 554. That any person violating the provisions of the foregoing section of this ordinance, shall, on conviction thereof, be fined for each offense a sum not to exceed \$500 and imprisonment not to exceed thirty days, either or both, in the discretion of the court.

Obstruc-
tions near
fire plug.

SEC. 555. It shall not be lawful for any person to obstruct with building material or otherwise, any cistern or fire plug, such as would obstruct approaches to the same by the Fire Department of the City of Atlanta. Any person violating the foregoing provision, shall, for each offense, or for

each day any such obstruction is continued, be subject to a fine not exceeding \$100, or imprisonment not exceeding thirty days, either or both, in the discretion of the court. That any person putting an awning post nearer than eighteen inches to any fire hydrant shall, on conviction, pay a fine of not exceeding \$100, or be imprisoned not exceeding thirty days, in the discretion of the court.

Penalty.

April 23, '91

SEC. 556. The Chief shall be present at all fires or alarms, fully equipped, and shall there have sole direction of the operations of the Department. He shall be liable to a fine of three dollars for non-attendance. It shall be his duty to visit the several houses at least once in every twenty-four hours, and see that the houses, apparatus, horses, etc., are in proper condition and the men at their posts; and, should he find anything out of order, or any member derelict in his duty, he shall have authority to suspend him, but must at once report the matter to the chairman of the board for his action. All reports made to him by the officers, or any other matters that may come to his knowledge, shall be reported in writing to the Board of Fire-masters, or in its recess to the chairman as soon as possible. He shall be required to keep an accurate account of all fires, alarms of fire, the origin, or supposed origin, amount of loss incurred, and amount of insurance of the destroyed or damaged property. He shall exercise all power and authority which is conferred upon him by virtue of this chapter.

Duties and powers of Chief.

SEC. 557. It shall be the duty of foremen to be present at all fires or alarms, fully equipped. They shall stay at their several houses and see that the house, apparatus, horses, and all things belonging thereto, are kept neat and clean, and in order at all times for immediate use. In the absence of the foreman, the engineer shall have charge, and exercise his authority. They shall preserve good order and discipline in their respective companies at all times. There shall be a book provided for them in which they shall enter the time of admission, age, resi-

Duties of Foremen.

dence, occupation, suspensions and discharge of each member, and all absence and tardiness of the same; also, keep an account of all property entrusted to their care. They shall make monthly statements in writing of condition of the houses, apparatus, horses, etc., with an estimate list of supplies needed for the coming month. They shall report in writing to the Chief any dereliction of duty or violation of the rules by the members. It shall be the duty of the foreman to suspend any member for intoxication or disobedience of orders, and report the same to the Chief at once. In the absence of the Chief, the foreman first arriving on the ground shall have command and be obeyed accordingly. It shall be the duty of the foreman of the companies of the Department to read the rules and explain them to the members on the pay-day of each month. He shall be required to keep an accurate account of all fires, alarms of fire, the origin, or supposed origin, amount of loss incurred, and amount of insurance of the destroyed or damaged property.

Duties of
Engineer.

SEC. 558. It shall be the duty of the engineers to accompany their engines at all times to fires and alarms, remain with and operate the same. They shall give their entire time and attention to the Department, and do such repairs as they may be ordered to make. They shall be on duty at their respective houses at all times, with the exception of meal hours, unless relieved by substitute, who must be a person competent to perform the duty required of his principal, and who must be approved by the Foreman and Chief prior to leave of absence being given. Leave of absence for two hours or less may be given by the foreman between the hours of sunrise and sunset, but for a longer time the application must be in the hands of the Chief six hours before the time desired. For absence from their engines during an alarm of fire, without order or permission, the fine shall be five dollars if the engine is not in service, and if in service he shall be dismissed from the Department. All apparatus used for the extinguishment of fires upon the

premises of an engine company will be considered as in his charge, under the supervision of his foreman, and he shall be responsible to him for the safe keeping and effective condition of the same.

SEC. 559. The stokers shall be on duty at all hours, ^{Duties of Stokers.} except those allotted to meals, and shall discharge all the duties appertaining to their positions during the time the apparatus is in service; they shall help to keep the houses, hose and carriages in proper and clean condition, and their entire time and service shall be rendered to the Department. They shall perform all duty connected with the firing of their engines, and assist the engineer as may be required. Leave of absence may be granted on the same conditions as are prescribed in section 424 of this chapter.

SEC. 560. It shall be the duty of drivers to stay at their respective houses of the Department at all hours. ^{Duties of Drivers.} They shall have control of the horses and harness, and see that the same are properly attended. The drivers shall have charge of and accompany the horses to all fires and alarms, and shall keep their horses, harness, stables, etc., in good condition and always ready for service, and shall be on duty at all hours, except meal hours, and shall give their entire time and service to the Department. Leave of absence may be granted on similar conditions as provided in section 558.

SEC. 561. It shall be the duty of each runner or ladder-man, when an alarm is given, to repair with all possible speed to the locality of the fire, and perform such duties as ^{Duties of Runners and Ladder-men.} may be required of him. In case of sickness or absence from the city, he shall furnish a substitute, who must be satisfactory to the foreman. The foreman shall number each runner and ladder-man from one upward. Each and every fireman must at all times be equipped on the fire grounds or be marked absent. Absence from a fire or alarm during the month will subject the party to pay a fine of \$2.00 for the first time, \$3.00 for the second, and third dismissal from the service. Each runner, ladder-man and

call-man will be required to report at his respective house immediately after each fire and answer roll-call.

Call-men. SEC. 562. It shall be the duty of each call-man to repair to the place where the fire may be and report to the foreman of the company to which he belongs, and do whatever duty he may be assigned. Call-men failing to attend the fires and alarms, or failing to answer roll-call after a fire or alarm, shall be fined for the first time \$2.50, second time \$3.00, and third, if it occurs in the same month, dismissal, unless in case of leave of absence granted by the Chief and Foreman of his company. Sickness, when reported immediately to the Chief or Foreman, accompanied by a certificate from the city physician of his ward, may be considered by the board.

Substitutes SEC. 563. Each runner and call-man is authorized to appoint, subject to the approval of the Chief, a suitable person to act as substitute, who, when on duty, shall receive the same pay as his principal, to be deducted from the monthly wages of the party for whom he is acting, and to be paid to the substitute. He will be required to perform all the duties of the principal that may arise in the company to which he is attached. The board will furnish suitable badges for the substitutes, which must be worn at all fires or alarms. The foreman shall number all substitutes from one upward, and in case of absence of any fireman, he shall appoint them alternately. They shall have permission to wear the equipments of the company to which they are attached, and shall be subject to all regulations provided for the government of the same. The substitute cannot be assigned to duty in place of his principal during the time of fire or alarm of fire, except in case of personal injury sustained by his principal. No substitute will be allowed to remain on duty for a principal more than fifteen days at one time.

House regulations. SEC. 564. 1. No spirituous, vinous or malt liquors shall be permitted upon the premises of any engine, hose or truck-house in this Department.

2. All card playing, political or religious discussion, profane swearing or wrangling is expressly prohibited.

Liquors,
card
playing,
profanity,
etc., pro-
hibited.

3. No smoking will be allowed in the sleeping-rooms.

4. Regular men, substitutes or call-men, to whom beds are assigned, will be required to keep the same neat and clean, and will be expected to retire at or before 10 o'clock P. M., unless good excuse be given to the foreman. The gas must be turned down at 10 o'clock P. M., after which no loud conversation upon the premises will be permitted.

5. The drivers are required to assist each other generally, when it can be done without interfering with their specific duties.

Minors and loungers not connected with this Department will not be permitted upon the company's premises.

6. The foreman and engineer will be held personally responsible for any violation of the rules of this Department that occurs on the premises or in the vicinity thereof, unless the same is reported to the Chief as soon as possible.

7. From April 1st to October 1st, the horses must be fed at or before 5:30 o'clock A. M., and the drivers will be required to finish breakfast and return to their duties at or before 7 o'clock A. M. One hour is allowed for meals.

Regula-
tions as to
horses.

8. Horses and houses must be cleaned, ready for service, at or before 8 o'clock A. M.

9. After 8 o'clock A. M., the housemen will appear in their uniforms, except where the regular performance of their several duties renders it impracticable.

10. The sleeping-rooms must not be used for sleeping purposes after 6 o'clock A. M.

11. From October 1st to April 1st, one hour may be added to the foregoing time-table.

12. One hour shall be the allotted time for housemen to procure their meals. Any question of precedence shall be decided by the foreman, but so arranged that not more than half the housemen be permitted to leave the premises at any time, there being at all hours not less than one-half on duty.

13. Should an alarm of fire occur to interfere with the foregoing table, as much thereof as may be absolutely necessary will be considered for the time suspended.

Hose
cleaning.

14. Hose must be cleaned and aired every time they are used, and once a week if they have not been in service; they must not be allowed to lie in the sun. The hose must be placed on the hose-carriage before nine o'clock P. M., by the firemen or call-men at the engine house, at the hour designated by the foreman to perform that duty.

Guard
duty.

15. It shall be the duty of the foreman to detail one fireman who shall be on guard duty on the premises from nine o'clock P. M., until six o'clock A. M., to ring bell, turn down the gas and close up the house. The man doing this duty shall have eight hours to sleep, unless called out for service, and shall be held responsible for the safe keeping of all property in his charge during his watch.

16. The houses must be washed out and the windows cleaned not less than twice a month.

17. No leave of absence shall be extended, except by permission of the Chief.

Not to elec-
tioneer.

18. Housemen of the Department will not be allowed to take any active electioneering part in primary elections.

19. No alterations must be made in any of the property of the Department without first obtaining permission from the Chief.

General
regulations

SEC. 565. 1. All employees of this Department are strictly required in their intercourse with each other, social and official, at fires and elsewhere, to observe a courteous demeanor, and officers and men in addressing each other will be careful to employ the surnames of those to whom they are speaking, and in a respectful manner. While on duty at fires the greatest degree of silence compatible with the efficient discharge of duty will be required, and any noisy or boisterous conduct will be deemed sufficient cause for censure from the board.

Must be
polite.

Wear
uniform,
etc., to fires

2. No houseman or fireman will be permitted to attend any alarms of fire unless uniformed or equipped, except in

case of necessity; nor will they be permitted to enter drinking-houses, except in discharge of duty, while wearing the uniform of the Department.

3. The men are required to move quickly, and obey the orders of their officers promptly and without criticism.

4. Within one minute from the striking of the station number on the gong, each company will be ready to start, and, if required for service, must be out of the house within one minute after the first round has been struck.

5. All requisitions, reports and other communications, intended for the Chief or Board of Fire-masters, must be made in writing by the foreman of the company, who shall promptly transmit the same to the Chief.

6. Every member of this Department will be expected to observe the rules of cleanliness, sobriety and good morals, and a neglect of those matters will be deemed and held as sufficient cause for dismissal by the board.

7. Any member of the Department using profane, rough or ungentlemanly language to any citizen or member of the Department, shall be held as violating the rules, and shall be liable to suspension or dismissal.

SEC. 566. 1. When an alarm is given, all regular and ^{Alarm} call-men must repair to where the alarm comes from. If it ^{regulations} should prove to be a false alarm, they must return to their respective engine-houses and wait thirty minutes, answer roll-call, and be dismissed by their respective foremen.

2. When the same box is struck a second time previous to the re-call, it will be considered as a second alarm and answered accordingly. When another alarm comes from the box first struck after the re-call, it will be considered as a first alarm, and answered accordingly.

3. After a second alarm has been given and before the re-call is received, in case of a new alarm, the companies shall answer at that box.

4. The re-call signal is 2-3, and will be respected accordingly.

5. When hose are laid, the driver, unless ordered otherwise, will patrol the lines of their respective companies and prevent all vehicles, except the apparatus of the Department, from crossing the same.

6. Upon the occurrence of a slight fire, the first company upon the ground may lay out its hose, but none others without orders from the officer in command.

7. After a fire-plug has been used by an engine, the engineer will, previous to removing his suction tube, shut off the plug; in case of using cistern, will replace the cover, the foreman to report the condition of the plug and cistern.

8. In approaching corners, crossing gutters and going down grades, drivers must check the speed of their horses and the brakes must be used. All drivers will be held pecuniarily responsible for any damage to horses, apparatus, or other property, resulting from careless driving.

Return from fires slowly.

9. In returning from an alarm the apparatus will not be allowed to proceed faster than a walk. The foreman, driver and two other members will be allowed to ride on the two-horse hose carriage; the driver, foreman and one other on the one-horse hose carriage, and eight men on the truck in going to and returning from fires, the men to get off and assist the horses when going up hills. The members that run to the fires to have the preference in riding home. One stoker will be allowed to ride on the engine with the engineer. The members of the engine companies will not be allowed to ride on the hook and ladder truck either going to or returning from alarms of fire, and they will not be allowed to ride on apparatus of other engine companies when the latter are carrying their regular men.

10. Horses must be exercised twice a week with the apparatus, and every other day without the apparatus, (Sunday excepted), providing the weather is suitable. The duration of exercises shall be one hour without apparatus, and one-half hour with the apparatus, and, if possible, always pursuing the same route, no portion of which shall

be more than two squares from the house in which they are stationed, as may be designated by the foreman.

11. All engines must be tried by draughting once every two weeks, unless in service during that time, and also tried in a similar manner after each service at fires; no more than sixty pounds of steam being allowed, except by special order. All engines held in reserve shall be cared for alternately by the engineers of steamers in regular service for two weeks at a time.

12. While an alarm is coming in, one or more men, previously selected by the foreman, shall count and announce the number without any interference from others. Bells must not be rung too long, nor apparatus leave the house before one distinct round is received and understood.

13. It shall be the duty of the foreman of the hook and ladder company immediately upon the arrival of the trucks at the place of the fire, to have ropes stretched across the street or streets in such manner as to protect the apparatus of the Department from the interference of those not employed as firemen.

14. Upon the arrival of the hook and ladder company on the fire ground, the driver or his assistant shall, as soon as possible, light all his lanterns and torches.

15. It shall be the duty of the drivers who are first on the ground to meet the other companies and direct them to the nearest water. Any driver of any engine, hose-reel or truck, who shall drive over the hose when going home or taking up hose will be subject to a fine.

16. It shall be the duty of the foreman of each company, as soon as the hose are laid at fires, to send one or more firemen to lay the hose close into the curb and tighten the couplings.

17. Officers and members are prohibited from smoking pipes or cigars, or drinking spirituous or malt liquors, on the fire grounds.

18. The engineers are not allowed to carry more than

130 pounds water pressure, except by order of the Foreman or Chief.

19. No officer or member of the Department will be allowed to leave the city without putting a man for duty in his place, subject to the approval of the Chief.

20. When hose are used belonging to another company, they must be replaced on the hose-carriage from which they were taken.

21. The foremen must remain with their respective pipes, where they are stationed, while the companies are in service.

22. When the apparatus stops on the street it must be near the sidewalk, the hose-carriage to be in the rear of the engine.

The fire equipments are as follows:

Equip-
ments.

Chief—A white gum overcoat, a white leather fire hat, New York pattern, and white frontispiece with "Chief" thereon.

Foreman—A white leather fire hat, New York pattern, with black leather frontispiece, having thereon the name of his office and number of his company; blue flannel shirt and black gum coat.

Runners, Stokers and Laddermen—A black leather fire hat, New York pattern, with black front, having thereon the number of the company; blue flannel shirt and black gum coat.

Uniform.

SEC. 567. The undress uniform of the Chief shall consist of a double-breasted sack coat of blue cloth, vest and pants of the same material and soft black hat.

The uniform of the foremen shall be a single-breasted sack coat of blue cloth, with pants and vest of same material, with the Department buttons, and a blue navy cap, with the word "Foreman" on the frontispiece.

The uniform of engineer shall be the same as that of foreman, except that in front of cap shall appear the word "Engineer."

The uniform of housemen shall consist of a single-

breasted sack coat of blue cloth, with vest and pants of the same material, with the Department buttons, and a blue navy cap as above, the same to be worn at all times except when cleaning up. Straw hats in summer.

SEC. 568. That the foreman of the various companies, under the direction of the Chief, shall make examination of the fire-plugs at least twice each month, and shall report to the Chief, who shall in writing notify the Superintendent of the Water Works of any plugs that are not in good working order.

Foreman shall examine plugs.

SEC. 569. That all communications from the Chief of the Department shall be copied in a letter copying-book.

Chief keep copies of letters.

SEC. 570. All employees of this Department are at all times subject to assignment to any duty by the senior officer in command.

Employees subject to assignment

SEC. 571. Each member of the Fire Department must make himself familiar with all the rules and regulations governing them.

Members must familiarize themselves with rules.

SEC. 572. The Board of Fire-masters shall meet on the Wednesday preceding the first Monday in each month, and all bills and other matters for the consideration of the board must be in the hands of the Secretary twenty-four hours before the time of the regular meeting.

Meeting of Board of Fire Masters.

SEC. 573. That when the alarm of fire is sounded, and until the signal of "fire out" is given by the Fire Department, it shall be unlawful for any person to use or draw water from the water-mains or hydrants for sprinkling, flushing sewers, or for any other purpose, under penalty not to exceed a \$100.00 fine, or not to exceed thirty days imprisonment, one or both, in the discretion of the court, but not to apply to parties who use waters through a metre.

Use of water during fires.

May 2, 1887.

SEC. 574. That from this date, any one moving a house through any street of said city shall be required to place lights on the same at night, and shall notify the Chief of the Fire Department of the location of said house at night.

Moving houses, regulations for.

May 7, 1888.

SEC. 575. That any one convicted before the Recorder, of
 Penalty. violating this ordinance, shall be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of said court.

CHAPTER XXVI.

FIRE ESCAPES.

SECTION.

- 576. 3-story buildings to have fire escapes.
- 577. Board of fire escapes.
- 578. Time of construction.
- 579. Notice, how served.
- 580. How escapes replaced.
- 581. Materials and dimensions.
- 582. Set as walls are built.
- 583. Top rails.
- 584. Bottom rails.

SECTION.

- 585. Filling in bars.
- 586. Stairs.
- 587. Flooring.
- 588. Opening for stairs.
- 589. Balconies.
- 590. Board of fire escapes.
- 591. Publish fifteen days.
- 592. Penalty.
- 593. Repairs.
- 594. Penalty.

Buildings
three or
more
stories
high to
have fire
escapes.

SEC. 576. *It is ordained as being necessary for the protection of human life,* That all buildings in said city three stories or more in height, not including basements, used as a factory, work-shop, lodge-room, hotel, boarding-house, public hall, or sleeping-place or apartment, shall have thereon a suitable, substantial inside or outside fire escape, of such character and material as may be required by the Mayor and General Council of said city. The character and material of such escape shall have reference to the location and surroundings of each building, and also whether said escape shall be located on the front, rear or side of any building, or on the inside or outside, and as to whether the portion of any building on which fire escapes are to be placed fronts on a public street or alley, or otherwise. All fire escapes, however, shall be of sufficient strength, and occupy such position, and be connected with such platform or landing, or otherwise, as to be safe and practicable of use on occasions when such use may be necessary.

SEC. 577. The Chief or Acting Chief of the Fire Department, together with the Building Inspectors, shall, on or before the first day of July, 1890, report in writing to the Mayor and General Council, designating the buildings in said city subject to have fire escapes placed thereon, in accordance with the foregoing section of this ordinance, and shall also in said report indicate where said escape or escapes should be placed or located, on which part or side of the building, and whether inside or outside, or either, together with the character and material suitable and proper for the escapes to be placed on each building, the manner or position in which they should be placed, the platforms, landings, supports, etc., necessary or proper to be connected with each escape or escapes, as to each building aforesaid. The report so made shall be subject to the approval or change of the Mayor and General Council.

Chief Fire Department and Building Inspectors, Board of Fire Escapes, to report what kind of escapes necessary.

See 590.

SEC. 578. When the Mayor and General Council shall have required fire escapes to be placed on any building, of the character and material deemed by them requisite as aforesaid, then it shall be the duty of the owner of any such building, within ninety days after service of notice, to cause to be placed on said building fire escapes such as the Mayor and General Council shall have required. Said notice shall be served by the Chief or Acting Chief of the Fire Department on the owner, agent or tenant in possession of any such building. Should any owner, agent or tenant in possession of any such building, notified as aforesaid, fail within the time specified in said notice, to have fire escapes placed on any building, as provided by the action of the Mayor and General Council, he or she shall be subject to fine of not exceeding one hundred dollars and costs, and to be imprisoned not exceeding thirty days, either or both, in the discretion of the court, and for each month thereafter, until said notice and order shall be complied with, such owner, agent or tenant in possession shall be subject to the same penalty as aforesaid.

To be constructed within 90 days after service of notice.

Penalty.

Corpora-
tions, etc.,
how served
with notice

SEC. 579. In the case of a firm, company or corporation who shall be the owner of any such building as aforesaid, the foregoing notice shall be served on any member or agent of the firm or company, and on the chief officer of such corporation who is in the city, or on the agent or tenant in possession of the premises, and in such case any agent or member of the firm or company, and the president, acting president, secretary and directors and agent of any such corporation shall be subject to the penalty provided by this ordinance in cases of failure to comply with any order and notice as to placing fire escapes or as to repairing fire escapes.

Make
changes
and repairs
in 10 days
after notice

SEC. 580. After fire escapes have been placed on any building, as aforesaid, in compliance with the provisions of this ordinance, and the same shall become unsafe or in need of change or repair, in order to make the same safe, the Chief or Acting Chief of the Fire Department shall serve notice as aforesaid to make such change within ten days, and in case of the failure of any owner to have such change or repairs made within the time, and as required by the notice, he shall, for such failure, be subject to the same penalty as provided in this ordinance for failure to place fire escapes in the first instance.

Penalty.
May 7, 1890.

Fire escap's
and the
materials,
dimen-
sions, etc.,
prescribed.

SEC. 581. That all buildings in said city, three stories or more in height, not including basements, used as a factory, workshop, lodgeroom, hotel, boarding-house, public hall, or sleeping-place, or apartment, shall have thereon suitable and substantial fire escapes of the following character and material. Brackets must not be less than $\frac{1}{2}$ by $1\frac{3}{4}$ inches, wrought iron, placed edgewise, or $1\frac{3}{4}$ inches angle iron, well braced, and not more than 3 feet apart, and the braces to brackets must not be less than $\frac{3}{4}$ inches square, wrought iron and must extend two-thirds of the width of respective brackets or balconies. In all cases the brackets must go through the wall, and be turned down 3 inches.

Brackets
not less
than $\frac{1}{2}$ x $1\frac{3}{4}$
inches.

Set as walls
are built.

SEC. 582. Brackets on new buildings must be set as the walls are being built. When brackets are to be put on old

houses, the part going through the wall should not be less than one inch in diameter, with screwnuts and washers, not less than 5 inches square and $\frac{1}{2}$ inch thick.

SEC. 583. The top rail of balcony must be $1\frac{3}{4}$ by $\frac{1}{4}$ inch, wrought iron, and in all cases must go through the walls, and must be secured by nuts and 4 inch washers, at least $\frac{3}{8}$ inch thick. Top rails.

SEC. 584. Bottom rails must be $1\frac{1}{4}$ by $\frac{3}{8}$ inch, wrought iron, well leaded into the wall. In frame buildings the top rails must go through the studding and be secured on the inside by washers and nuts as above. Bottom rails.

SEC. 585. The filling-in bars must be not less than $\frac{1}{2}$ inch round or square, wrought iron, placed not more than 6 inches from centers, and well riveted to the top and bottom rails. Filling-in bars.

SEC. 586. The stairs, in all cases, must not be less than 13 inches wide, and constructed of $\frac{1}{4}$ by $3\frac{1}{2}$ inch wrought iron sides or strings. Steps to be $\frac{5}{8}$ inch round iron, double rungs, $\frac{7}{8}$ by 3 inch flat iron, and well riveted to the strings. The stairs must be secured to a bracket on top, and rest on and be secured to a bracket or extra cross bar at the bottom. All stairs must have a $\frac{3}{4}$ inch hand rail of wrought iron, well braced. Stairs.

SEC. 587. The flooring of balconies must be of wrought iron, $1\frac{1}{2}$ by $\frac{3}{4}$ inch slats, placed not over $1\frac{1}{4}$ inches apart, and secured to iron buttons $1\frac{1}{2} \times \frac{3}{8}$ inches, not over 3 feet apart, and riveted at the intersections. Flooring.

SEC. 588. The opening for stairways in all balconies shall not be less than 14 inches wide and 30 inches long. Drop ladders from lower balconies where required shall not be less than 14 inches wide, and shall be $1\frac{1}{2} \times \frac{3}{8}$ inch sides and $\frac{5}{8}$ inch rungs of wrought iron. Openings for Stairways.
Drop ladders.

SEC. 589. In no case shall the end of balconies extend more than 9 inches over the brackets. The height of railing around balconies shall not be less than 2 feet 9 inches. A balcony must be at each story. Balconies.

Board
of Fire
Escapes.
See 577.

Authority
of Board.

Ordinance
published
15 days.

Escapes to
be erected
in 90 days.

Penalty,
\$100 fine
and 30 days
imprison-
ment.

Each
month's
neglect a
new offense

Repairs to
be made
in 10 days
after notice

Notice,
how served

Penalty.

SEC. 590. The Chief of the Fire Department and Building Inspectors shall constitute a Board of Fire Escape, and no fire escape will be accepted without their approval. And they shall have authority to decide the number and location of all fire escapes on buildings.

SEC. 591. This ordinance having been duly published for fifteen days after its passage, it shall be the duty of the owners of all buildings coming under the requirements hereof to have placed on them such fire-escapes as are required, within ninety days.

SEC. 592. Should any owner, agent, or tenant, in possession of any such building, fail, within the time specified in the publication or advertisement of the passage of the ordinance, to have fire-escapes placed on any building, as provided for by this ordinance, he or she shall be subject to a fine of not exceeding \$100 and costs, and to be imprisoned not exceeding 30 days, either or both, in the discretion of the court; and for each month thereafter, until said ordinance shall be complied with, such owner, agent or tenant in possession shall be subject to the same penalties as aforesaid.

SEC. 593. After fire-escapes have been placed on any building, as aforesaid, in compliance with the provisions of this ordinance, and the same shall become unsafe, or in need of change or repair, in order to make the same safe, the Chief or Acting Chief of the Fire Department shall serve notice to make such change within 10 days.

SEC. 594. And in case of failure of any owner to have such change or repairs made, within the time and as required by the notice, he shall, for such failure, be subject to a fine of not exceeding \$100 and costs, and imprisonment not more than 30 days, either or both, in the discretion of the court.

CHAPTER XXVII.

FIRE LIMITS.

SECTION.

595. } Boundaries.
 596. }
 597. Sanitary regulations applied.
 598. Penalties.
 599. Blacksmith shops.
 600. Stationary engines.

SECTION.

601. Kerosene oil.
 602. Wooden awnings.
 603. Wood yards.
 604. Sawing and cutting wood.
 605. Combustible matter.
 606. Penalty.

SECTION 595. No person or persons shall build or erect, or May 17, 1872
 cause to be built or erected, any house or houses for any pur-
 pose whatever, the walls of which shall be constructed of
 wood, or which shall be covered with any material other than
 iron, tin, slate, tiles, or something which shall be deemed and
 considered fire-proof, on any street or streets within the
 boundaries herein mentioned, that is: Commencing at the
 corner of Ivy and Cain streets, thence running west along Fire limits
 Cain street to Luckie street, thence west along Luckie street Boundaries
 to Simpson, thence along Simpson street to Marietta street, May 7, 1888.
 thence out Marietta street to Johns street, thence along
 Johns street to the W. & A. R. R., thence along said R. R.
 right-of-way to the corner of Simpson and Elliott streets,
 thence along Elliott street to the right-of-way of the E. T.
 V. & G. Ry Co. at the corner of Nelson and Elliott streets,
 thence along the track of said E. T. V. & G. Ry Co. to
 Peters street, thence along Peters street to the junction of
 Garnet street, thence along Garnet street to Loyd street,
 thence along Loyd to East Peters street, thence along East
 Peters to Fair street, thence along Fair street to Frazer
 street, thence along Frazer street to Butler, thence along
 Butler to Gilmer, thence along Gilmer to Ivy, thence along
 Ivy street to the starting point.

SEC. 596. *Be it further ordained,* That in all cases where
 a street is the boundary line in this ordinance, the limit shall
 be for all practicable purposes one hundred feet beyond said
 street.

Sanitary regulations to apply to extended fire limits.
 Aug. 2, 1886
 SEC. 597. That an ordinance adopted July 19th, 1886, extending the fire limits, be, and the same is amended by adding thereto the following, to-wit: And all laws and ordinances now in force, or that may hereafter be adopted with reference to sanitary regulations or otherwise, within the fire limits of said city, shall apply to and embrace the limits as extended by said ordinance, of which this is amendatory. All laws in conflict with the foregoing are hereby repealed.

Penalties.
 SEC. 598. Any person or persons who shall be convicted of a violation of this ordinance shall be liable to pay a fine not exceeding one hundred dollars and cost, or be imprisoned not exceeding thirty days; and any person so convicted shall be subject to a fine of not exceeding one hundred dollars and cost, or thirty days imprisonment for every three days he, she, or they shall permit such house to remain; and the Mayor and General Council may order the removal of said structures, and if the same is not removed, may instruct the Marshal to remove the same at the owners expense.

Blacksmith shop
 SEC. 599. No building shall be used or occupied as a blacksmith shop within the fire limits of this city, as set forth in the preceding section, unless the same be made fire-proof.

Stationary steam engines.
 SEC. 600. It shall not be lawful for any person or persons to erect or run, or cause to be erected or run, any stationary steam engine, of any kind or description, within the fire limits of the City of Atlanta, without first obtaining the consent of the Mayor and General Council thereto; and the application shall contain a complete description of the character and size of the engine proposed to be erected, of the building in which it will be placed, its position in the building, the distances to surrounding buildings or structures, and the material of which they are constructed, and the height, size and location of the smoke-stack; and any person violating this ordinance shall be fined not exceeding one hundred dollars, or be imprisoned not exceed-

Penalty.

ing thirty days, in the discretion of the court, for each and every day such violation continues.

SEC. 601. It shall not be lawful for any person to keep ^{Kerosene oil.} within the fire limits of the City of Atlanta, more than one hundred and seventy-five gallons of kerosene oil, or other oil used for illumination, in any other than a fire-proof building. Any person violating this ordinance shall be punished by a fine of not exceeding one hundred dollars, or be imprisoned thirty days, or either or both, in the discretion of the court.

SEC. 602. It shall not be lawful for any person to erect, ^{Wooden awnings in fire limits prohibited.} or have erected, any awnings, or shed, having any more wood than is actually necessary to fasten the tin or metal coverings to, in front of any building in said city, within the fire limits, over any sidewalk or street. Nor shall any sign-board, or other sign, be hereafter erected above, or over, any sidewalk or street in said city within the fire limits. That any person violating the provisions of this ^{Jan. 5, 1891.} ordinance shall, on conviction, be fined not less than one nor more than one hundred dollars, and, besides, the ^{Oct. 16, 1876} awning, shed, or sign-board, or other sign, thus illegally placed or erected, shall be removed by the Marshal.*

SEC. 603. It shall be unlawful for any person to keep a ^{May 16, 1878} lumber-yard or wood-yard within the fire limits of this city without the consent of the General Council, and any person so offending shall, on conviction, pay a fine of not exceeding one hundred dollars or be imprisoned not longer than thirty days.

SEC. 604. Any person or persons who shall cut or saw ^{Sawing or cutting wood.} wood on the streets or sidewalks within the fire limits shall, on conviction, be fined one hundred dollars or imprisoned not exceeding thirty days, in the discretion of ^{Penalty.} the court.

SEC. 605. That no person shall be permitted to place and ^{Combustible matter to be removed.} let remain in any box, barrel, or otherwise, in any building,

*The ordinance adopted Sept. 6, 1886, authorizing the painting of signs or awnings over sidewalks repealed by ordinance of Jan. 5, 1891.

Aug. 4, 1884 cellar, street, alley-way, or yard, within the fire limits, longer than six hours, any loose straw, hay, paper, or other combustible matter; and all owners or occupants of buildings or cellars within said limits are hereby required to permit the Chief of the Fire Department, or any member thereof designated by him, or any officer or member of the police force, to inspect their building, cellars and premises to see if this ordinance is being complied with. And it is hereby made the duty of the Chief of the Fire Department, and of the police force, to make such inspections.

Penalty. SEC. 606. Any person or persons violating the provisions of the foregoing section shall be arrested by any officer or member of the police force, and may, on conviction before the Recorder, be fined in a sum not exceeding one hundred dollars, or to work on the street not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER XXVIII.

FIRES—PRECAUTIONS AGAINST.*

SECTION.

- 607. Plank kilns.
- 608. Chimneys and stovepipes.
- 609. Uncovered lights.
- 610. Penalty.
- 611. Not burn combustible materials at night.
- 612. Dangerous chimneys.
- 613. Notify chief; penalty for failure.
- 614. Injuring engine.

SECTION.

- 615. Wash in front of engine house.
- 616. Ashes in wooden boxes.
- 617. Penalty.
- 618. Gasoline, how kept.
- 619. Flues not rest on wood.
- 620. Penalty.
- 621. Moving houses—notify Chief.
- 622. Penalty.

Kilns. SECTION 607. No person shall be permitted to build and fire any open plank kiln or kilns within one hundred yards of any house, or fifty yards of any fence, in the incorporate limits of said city; and any person violating said ordinance shall, on conviction, be fined not exceeding one hundred dollars for each day such kiln is kept burning, or not exceeding thirty days' imprisonment.

*See last chapter.

SEC. 608. It shall be the duty of the Chief of the Fire Department to make frequent examinations into the conditions of the stove-pipes and chimneys in this city, and if he shall deem their condition a source of danger from fire, he shall require the tenant or occupant of the house where such stove-pipe or chimney is, to remedy the same within twelve hours; and on failure or refusal of such tenant or occupant, such offender shall be liable to a fine of not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days; and if, from the evidence, the court believes the condition of such chimney or stove-pipe dangerous, the court shall order the alteration to be made at the cost of the occupant.

Chimneys
and
stove pipes.

SEC. 609. Any person who shall be found guilty of carrying an uncovered or open light of any kind into any stable or barn, or any place where provender, trash, or any matter is contained that is easy of combustion, in the City of Atlanta, on conviction of the same, shall be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days.

Uncovered
lights
among
combustible
matter.

Penalty.

SEC. 610. If any person or persons shall permit or send any servant or other person with uncovered lights into such place or places as described in the preceding section, he, she, or they shall be liable to the penalty imposed by said section, on conviction before the person or persons therein mentioned.

Permitting
any person
to carry
lights into
such places

Penalty.

SEC. 611. It shall be unlawful for any person or persons to burn trash, lumber, straw or any other combustible substance, between the hours of sunset and sunrise, in any yard, lot or alley in the City of Atlanta; and any person or persons violating this ordinance shall, upon conviction before the Recorder, be fined not exceeding fifty dollars, or imprisonment for not more than thirty days, either or both, in the discretion of the court.

Combustible
materials
not to be
burnt
at night.

Oct. 18, 1886

SEC. 612. It shall be unlawful for any person, firm, or corporation to erect or maintain, or have in use in the City of Atlanta, any chimney, smoke stack or other structure

Dangerous
chimneys,
etc.,
prohibited.

Feb. 6, 1888

for the escape of smoke or heat, in such condition as to endanger adjacent or surrounding property to fire.

Notice. SEC. 613. It shall be the duty of the Chief of Fire Department to notify any person who may have any such structure in such condition as to endanger adjacent or surrounding property to fire, to have the same made safe within five days, and on failure of any person having the control or charge of any such structure to have the same made safe accordingly, Penalty. shall, on conviction thereof, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days for each offense; provided that proof of both, the defective or dangerous condition as aforesaid, shall be necessary to conviction.

Injuring engine, etc. SEC. 614. Any person or persons who shall willfully and knowingly injure or damage, in any way or by any means whatever, any engine, hose, hook, ladder, or any other implement, material or apparatus of any kind, belonging to, connected with, or used by, any of the fire companies in the city, as a part of their machinery or material for extinguishing fires, shall be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days.

Trash in front of engine house. SEC. 615. Any person or persons who shall willfully and knowingly put any trash, or other obstruction, in front of any engine house, or hook and ladder house, in the city, shall be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days.

Ashes in wooden boxes. SEC. 616. No person shall be permitted to place within any building in the City of Atlanta ashes in a box or other receptacle of wood, unless the same is immediately removed from the building, and from contact with such building. And all owners or occupants of buildings in this city are required to permit the Chief of the Fire Department, or any officer or member of the police force, to inspect their buildings to see if the above is complied with. And it is hereby made the duty of the Chief of the Fire Department and of the police force to make such inspections whenever and wherever they may suspect a violation of the foregoing ordinance.

SEC. 617. Any person violating any of the provisions of the above ordinance shall be arrested by any officer or member of the police force, and may, on conviction, be fined in a sum not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court. ^{Penalty.}

SEC. 618. It shall be unlawful for any person, firm or corporation, to store or keep on hand at any one time, or in any one building under their control, exceeding ten gallons of gasoline, benzine or naphtha, except in a fire-proof building or vault in which all openings are covered with metal shutters. Any person, firm or corporation violating this ordinance shall, upon conviction, be fined not exceeding two hundred dollars or less, in the discretion of the court. ^{Gasoline, etc., how kept. Penalty. Jan. 19, 1885}

SEC. 619. Hereafter no flues to houses in the City of Atlanta shall be built so as to rest on wood, or have wood placed in them in anyway, shape or form; but they shall be supported by iron, or other non-combustible material. ^{Flues not rest on wood.}

SEC. 620. Any owner, builder, or contractor, violating the provisions of this ordinance, shall be fined in a sum not to exceed one hundred dollars, or imprisonment not to exceed thirty days.* ^{Penalty. May 7, 1890.}

SEC. 621. Any person moving a house through any street of this city shall be required to place lights on the same at night, and shall notify the Chief of the Fire Department of the location of said house at night. ^{Moving house keep lights—Notify Chief.}

SEC. 622. Any person, convicted before the Recorder, of violating this ordinance, shall be fined in a sum not exceeding one hundred dollars, or imprisonment not exceeding thirty days, in the discretion of said court. ^{Penalty. May 7, 1888.}

*See Code, page 197, Sec. 450; also, page 86: Annual Report 1889—defective flues.

CHAPTER XXIX.

FIRES—REGULATIONS AT.*

SECTION.

623. Regulations in case of fires.

624. Stealing at fires.

SECTION.

625. Use of water.

Regulation
in case
of fire.

SECTION 623. No person or persons, except firemen, the Mayor and General Council, the police force, the owners of the property, their agents, and the agents of insurance companies, shall be allowed within the immediate vicinity of any fire, without being ordered there by the officer in command of the Fire Department; and in case any person or persons shall refuse to obey the orders and directions of such officer, he, she, or they shall be arrested, and on conviction be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days.

Stealing
at fires.

SEC. 624. The officer in command of the Fire Department at the fire shall arrest, or cause to be arrested by the police of the city, any person or persons who shall be caught stealing goods, or any other articles of value, from any store or other house at or in the vicinity of the fire.

Use of
water
during
fires.

May 2, 1887.

SEC. 625. That when the alarm of fire is sounded and until the signal of "fire out" is given by the Fire Department, it shall be unlawful for any person to use or draw water from the water-mains or hydrants for sprinkling, flushing sewers, or for any other purpose, under penalty not to exceed a one hundred dollar fine, or not to exceed thirty days imprisonment, one or both, in the discretion of the court, but not to apply to parties who use waters through a metre.

* See Fire Department

CHAPTER XXX.

HEALTH.

SECTION.

- 626. Board of Health.
- 627. Powers.
- 628. Expenditures.
- 629. Accounts, how approved.
- 630. Report.
- 631. Sanitary inspectors.
- 632. Powers and duties.
- 633. Lots, yards and premises.
- 634. Sweepings and garbage.
- 635. Carcasses.
- 636. Contagious diseases.
- 637. Decayed flesh, etc.
- 638. Hides, rags, etc.
- 639. Decayed matter on property.
- 640. Small pox signs.
- 641. Sale of infected clothing.
- 642. Privies disinfected.
- 643. Receptacles for excreta.
- 644. Must be easy of access.
- 645. Weekly examinations.
- 646. Water-closets on cars.
- 647. Slaughter houses.
- 648. Filthy water.
- 649. Nuisances on lots.
- 650. Obstructing drains.
- 651. Vaccination required.
- 652. Free vaccination.
- 653. Penalty for failure.
- 654. Penalty for failure to report disease.

SECTION.

- 655. Quarantine.
- 656. Obstructing health officers; penalty.
- 657. May quarantine.
- 658. Regulations, how prescribed.
- 659. Bringing in persons infected.
- 660. Penalty.
- 661. Contagious disease kept out of schools.
- 662. Glanders, not kept in city.
- 663. Nor brought on public streets.
- 664. Sick animals kept off streets.
- 665. Stale melons, etc.
- 666. Unwholesome meats.
- 667. Impure milk.
- 668. Penalty for selling.
- 669. Oleomargarine.
- 670. Stamped as such.
- 671. Penalty.
- 672. Water-closets in fire limits.
- 673. Tenant served, when.
- 674. Forty days notice.
- 675. Penalty.
- 676. City not liable for expense.
- 677. Sewer and water connections.
- 678. Penalty.
- 679. Board may require closets built.
- 680. Penalty for refusal.

SECTION 626. At the first meeting in January, 1882, there shall be elected by the General Council a Board of Health, consisting of five members, at least three of whom shall be physicians. One of said Board shall be elected for one year, two for two years, and two for three years. All elections thereafter, except for unexpired terms, shall be for three years. They shall receive for their services one hundred dollars per annum.*

SEC. 627. They shall have full power and authority to require the owner or any occupant of a lot in the city to remove or remedy anything on said lot which, in the opinion of the Board, may endanger the public health, and on

*The Mayor and Chairman of the Committee on Sanitary Affairs are *ex-officio* members of this Board.

failure of the owner or occupant to remove or remedy the same, the Board shall direct the sanitary inspector to do so at the cost of said owner or occupant; or if the occupant has but lately come into possession, and the same has not been placed there by him, or any member of his family, or by his permission, order or direction, then it shall be removed at the cost of the prior occupant; and if not to be found, then at the cost of the owner of the lot; and it shall be the duty of the said Board to make such suggestions as they may deem advisable to the Council to preserve the public health.

Expendi-
tures of.

SEC. 628. They shall present to the Mayor and General Council in January of each year, an estimate showing what appropriation is necessary for the Sanitary Department for the year, and amount of probable receipts from assessments on lots and lot-owners for the same time. The General Council shall then appropriate such an amount for the use of the Board of Health as the income of the city will authorize for the year.

Accounts,
how
approved.

SEC. 629. The Board shall, by such officers as it may designate, audit and approve all accounts made by it and the pay-rolls of its employees, and after the same have been approved by the Sanitary Committee, they shall be presented to the Auditor of the city by Thursday preceding each regular meeting of the General Council.

Report.

SEC. 630. They shall, at the end of each year, report to the General Council the amount of all expenditures and for what purpose made, together with such other matter and suggestions as they may deem appropriate.

Sanitary
inspection.

SEC. 631. They shall appoint such number of sanitary inspectors as they may deem necessary, and shall fix their compensation, not exceeding seventy-five dollars per month,* which shall be paid out of the amount appropriated for sanitary purposes.

* Salary of Chief Sanitary Inspector has been increased by Special Ordinance.

The Secretary of the Board of Health shall report to the Comptroller all inspections of second-hand clothing, sales of fertilizers, etc., made in that department, and the same shall be charged by the Comptroller to the Chief Inspector, who shall deposit such sums with the Treasurer, and receive credit upon presentation of his receipts.

Sales and inspections reported to Comptroller.

SEC. 632. Such inspectors shall be special policemen—shall be authorized to make arrests for violations of city ordinances, and shall conform to such rules and regulations as shall be from time to time established by the Board of Health. They shall take the oath required of regular policemen.

Powers and duties of Inspectors.

Oath of.

SEC. 633. It is hereby made the duty of sanitary inspectors to make frequent examinations (more especially in the spring, summer and fall months) into the condition of the lots, yards and premises of citizens, to see if they are kept in a clean and healthy state, and if they shall find anything which may become a nuisance they shall notify the person or persons on whose premises the same may be found to remove the same in six hours, and on failure or refusal on their part to do so, shall be proceeded against in the manner prescribed in section 637.

Examination by Sanitary Inspectors.

SEC. 634. It shall be the duty, further, of such Sanitary inspectors to see that all sweepings and garbage within the sanitary limits are removed to some suitable place to be designated and approved by the Sanitary Department, and that the excrement from all privies and closets not connected with the water-works, within said limits, shall be likewise removed, by garbage and night-soil carts, which shall be provided by the Sanitary Department.

Further duties.

SEC. 635. Whenever the Chief of Police or sanitary inspectors shall be informed of any dead horse, mule, cow or other animal being within the incorporate limits of the City of Atlanta, he or they shall cause said carcass to be removed beyond said limits, and then properly buried or disposed of so as not to create a nuisance, and any person or persons other than those employed who shall remove the

Carcasses, how removed.

Dec. 19, '87.

carcass of any such animal shall, on conviction, be fined not more than one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the court; *provided*, the owner or his authorized agent may remove such carcass from the city under the direction of a Sanitary Inspector.

Contagious
diseases.

SEC. 636. It shall be the duty of every hotel keeper, boarding-house keeper, and other citizens within this city, to give immediate notice to the Board of Health of any case of contagious or infectious disease of a dangerous character, such as small-pox, cholera, diphtheria, scarlet fever, yellow fever, and such other diseases as may be publicly declared by said Board of Health, which may occur in his or her hotel, boarding-house, or other dwelling, and if any hotel keeper, boarding-house keeper, or other citizens, shall fail or neglect to report as aforesaid, any and all such cases of said diseases as may occur or be at their hotel, boarding-house, or place of dwelling, each and every offender shall, on conviction, be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the court.

Decayed
flesh, etc.,
to be
removed in
six hours.

SEC. 637. Any owner or occupant of any lot who shall suffer to remain on his or her lot, owned or occupied by him or her, any decayed flesh, or vegetables, or any other thing which may annoy his or her neighbors, or tend to affect injuriously the health of any citizen, shall be required to remove the same within six hours, and on failure to remove or remedy the same within six hours, if it can be done, on conviction, pay a fine not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, for every six hours it is suffered to remain; and if it be adjudged a nuisance, in the manner prescribed by the statute or the ordinances of the City of Atlanta, the sanitary inspectors shall in that case, by order, abate the same, and the offender shall pay the cost of trial and abatement; or, if the occupant has but lately come into possession, and the same has not been placed there by him, or any mem-

ber of his family, or by his consent or approbation, the costs of the removal shall be charged to the prior occupant, and if not to be found, the owner of the lot; and, on judgment of the court to that effect, execution shall be issued by the Clerk of Council, in favor of the City of Atlanta, against the persons liable under the provisions of this ordinance.

SEC. 638. No person shall keep hides, dried or green, ^{Hides, filthy rags, etc.} filthy rags, bones, or guano, or anything else, that may be adjudged a nuisance, to the annoyance of any citizen or the detriment of the public health, within three hundred yards of the dwelling or business house of any citizen of said city; and any person violating this ordinance shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not more than thirty days, in the discretion of the court. *Provided, however,* that dry ^{Manner of keeping dry and green hides in city.} hides, thoroughly cured and odorless, may be kept for sale in the city adjoining business houses; and that green hides, after being thoroughly salted outside the city limits, may ^{June 20, '87.} also be kept in the city for sale, and in houses adjoining business houses, during the months of November, December, January, February and March; *and, provided further,* that no dry or green hides shall be kept in the city limits if they do, in fact, amount to or may be adjudged a nuisance.

SEC. 639. Any person or persons who shall throw or place on any street, alley, or on the lot of another, any decayed flesh or vegetables, or other offensive matter, ^{Placing decayed matter on property of another.} calculated to annoy the citizens of the neighborhood, or endanger their health, shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, at the discretion of the court.

SEC. 640. Owners or occupants of all residences, tenements ^{Small-pox signs.} or rooms in the city, where small-pox exists, shall hang out a yellow flag at some conspicuous place on said premises. Any person failing to comply with this ordinance shall, on conviction, be fined not exceeding twenty-five dollars and costs, or imprisoned ten days in the city prison.

Sale of
infected
clothing.

SEC. 641. Any person who shall knowingly sell, or cause to be sold, or otherwise disposed of, any bed clothing or other clothing, or any other article or articles which are infected with small-pox, whereby this disease may be spread, or made liable to be spread or disseminated, shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days.

Condition
in which
to keep
privies.

SEC. 642. All privies within the corporate limits shall be kept clean and well limed, or served with other disinfecting agents, and the actual tenant or occupant of all lots upon which privies are situated, shall be held responsible for the cleanliness of the same.

Shall
provide
receptacle
for excreta.

SEC. 643. It shall be the duty of all persons having, owning or controlling privies, not connected with the water-works, within the sanitary limits, to have and use water-tight receptacles in which to receive all excreta; and it shall be the duty of such persons aforesaid to cause the contents of such receptacles to be deodorized or mixed with dry earth or fine coal ashes daily. Should any person or persons fail to comply with the requirements of this section they shall, upon conviction thereof, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the court.

Privies
shall be
easy of
access.

SEC. 644. All privies within the corporate limits of this city shall be easy of access to the sanitary inspectors, or other officers, and said officers shall have the right at any time to enter upon the premises, wherever any privies are located, and see that the same are neatly and cleanly kept. Any person interfering with said officer, in the discharge of this duty, shall be fined or imprisoned, in the discretion of the court.

Right to
examine
privies.
Interfering
with
officers.

Examina-
tion of
privies.

SEC. 645. The Chief of Police or sanitary inspectors shall make, during the spring and summer months, weekly examinations into the conditions of each, and whenever, in his or their judgment, this ordinance is violated, he shall notify the owner, tenant or occupant of said lot, to put said offensive privy forthwith in order; and in case of refusal

or neglect on the part of said owner, tenant or occupant to comply within six hours thereafter, he, she, or they shall be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned not more than thirty days, in the discretion of the court; and he may be fined a further sum, not exceeding ten dollars, for every twelve hours such privy shall remain in an offensive condition.

SEC. 646. All railroad and sleeping car companies running cars into the City of Atlanta shall keep their closets ^{Water closets on cars.} securely locked and shall not permit the same to be used by any one while in the corporate limits of said city. The ^{June 20, '81.} agents, conductors or representatives of said companies, who shall violate this ordinance shall be arrested, and, on conviction, fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the court.

SEC. 647. No person shall keep a butcher-pen or slaughter-house within the corporate limits of the City of ^{Slaughter house.} Atlanta, (including the water-shed of the water-works,) and any person so doing shall, on conviction, be fined in a sum ^{Aug. 7, 1876} not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, in the discretion of the court.

SEC. 648. That no person shall use the streets or side-walks of the city, nor the gutters between, as a drainage to carry off any water that has been used, or other fluids, or soap-suds or dye-stuffs, or liquid manures, or any other liquids, whether from privies or otherwise. Any person discharging, or allowing to be discharged, any such fluids, shall, on conviction of the fact, be fined in a sum not ^{Filthy water, etc.} exceeding twenty-five dollars and costs, or condemned to work in the chain-gang not to exceed thirty days, either or both, in the discretion of the court. ^{May 20, '78.}

SEC. 649. Any person creating a nuisance on his, her, or Lot. their lot, or a lot occupied by them, or allowing a nuisance to remain six hours on their lot, or a lot occupied by them, shall be immediately summoned before the Recorder's Court, and, on proof, shall be fined not exceeding one hun-

dred dollars and costs. The summons to appear is all the notice that shall be required beyond the publishing of this ordinance. The following are declared nuisances: Slaughtering-houses, pig-pens kept for use within one-hundred yards of any private residence within the city limits, or upon the water-shed of the water-works; a dead cat, chicken, rat, or other animal; stagnant water, decayed vegetables and fruits; filthy privies, or anything causing offensive odors that worketh hurt, inconvenience, or damage to another, are nuisances, and shall be regarded as such, and subject to the above fine of not exceeding one hundred dollars and costs.

Any person throwing or placing a dead rat, chicken, cat or other animal, tainted meat, or decayed vegetables, or fruits of any kind, filthy water, or excrementitious matter, in the streets or alleys, shall be guilty of causing a nuisance, and shall be brought before the Recorder's Court and fined not exceeding one hundred dollars and costs.

Nuisances
defined
and
forbidden.

Aug. 21, '78.

Penalty.

Obstruct-
ing drains
or gutters.

June 20, '81.

Residents
must be
vaccinated.

Free vacci-
nation.

Failure
to be
vaccinated.

SEC. 650. Any person or persons who shall obstruct any gutter or drain in any street or alley of said city, or shall place anything therein likely to obstruct the same shall, on conviction, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the court.

SEC. 651. Every resident of the City of Atlanta is required to be successfully vaccinated, or to be vaccinated a sufficient number of times to make it evident that successful vaccination is impossible.

SEC. 652. It shall be the duty of physicians, to be appointed by the city for that purpose, to vaccinate, free of charge, all residents of the city who may apply to them for that purpose.

SEC. 653. Any resident of the City of Atlanta over fifteen years of age, who has not been successfully vaccinated, and who shall refuse or fail, after twenty-four hours notice, to be so vaccinated, may be summoned to appear, or be arrested and taken before the Recorder's Court, and may, on conviction, be fined in a sum not exceeding five hundred

dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court, for each day such person so refuses or fails. And any parent, guardian or any other person, having control of a child under fifteen years of age, who has not been successfully vaccinated, and who shall fail to have such child so vaccinated after twenty-four hours notice, shall be subject to the penalties above provided.

Failure to have children vaccinated.

SEC. 654. Any practicing physician, or other person, who shall know of the existence of a case of small-pox or varicellous in the City of Atlanta, and who shall fail within six hours to report the same to the Board of Health, or a health officer of the city, shall be arrested by an officer or member of the police force and taken before the Recorder's Court, and such persons shall, on conviction, be fined in a sum not exceeding five hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court, for each offense.

Penalty for failing to report small-pox, etc.

SEC. 655. The Board of Health of the City of Atlanta shall have full power and authority to send to a hospital or quarantine established or designated for the purpose, any person within the City of Atlanta who may be sick with small-pox, epidemic cholera or yellow fever, when in the judgment of said Board of Health such isolation is necessary for the protection of the public. Said Board of Health shall also have authority to subject all persons who may have been exposed to contagion or infection of any of the aforesaid diseases to such quarantine restraints and regulations as may be deemed necessary and be promulgated by said Board of Health.

Authorizing establishment of quarantine by Board of Health.

Aug. 16, '88.

SEC. 656. Any person who shall hinder or obstruct any members of the Board of Health, or any members of the police or sanitary force or other person acting under the authority, or by direction of said Board of Health, from removing to a hospital or quarantine any person whom they desire to remove, or are so removing, or who shall, in any way hinder or obstruct the proper officials in enforcing any

of the provisions of this section or of the foregoing section of this ordinance, shall be arrested and taken before the Recorder's Court, and shall, upon conviction, be punished by a fine of not more than five hundred dollars or by imprisonment for not more than thirty days, either or both, in the discretion of the court. The Board of Health shall make suitable rules and regulations for carrying the foregoing five sections into effect.

Board of Health may quarantine against any infected place, etc.

Sept. 19, '88.

SEC. 657. That the Board of Health of the City of Atlanta shall have authority to establish a quarantine against any place, person or railway train being dangerously infected by epidemic, cholera or yellow fever, whenever, in the judgment of the Board of Health, a quarantine becomes necessary for the protection of the city.

SEC. 658. It shall be the duty of the Board of Health to make necessary regulations to insure the faithful enforcement of this ordinance.

SEC. 659. Any railroad conductor or engineer, or other person who shall bring into this city any excursion train in violation of the regulations of the Board of Health, after having received notice to that effect shall be subject to the penalties of this ordinance.

SEC. 660. Any person who shall violate any of the rules and regulations made by the Board of Health in pursuance of this ordinance shall, on conviction in the Recorder's Court, be fined not more than five hundred dollars or be imprisoned for not more than thirty days, either or both, in the discretion of the court.

Contagious disease.

Penalty.

SEC. 661. That from and after the passage of this ordinance, when any child in the City of Atlanta, eligible to admission at the public schools of said city, shall have a contagious or epidemic disease, or when a contagious or epidemic disease exists in a family, or household, in said city, in which a child of school age shall reside, it shall be the duty of the attending physician in either of the above recited cases of sickness from contagious or epidemic diseases, to report to the parent or guardian and to the Superintendent

of Public Schools, the existence and nature of such contagious or epidemic disease; and any attending physician who shall fail, refuse or neglect to report as aforesaid, shall, on conviction thereof, be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the court. That any parent or guardian who shall, in said city, knowingly permit a child to attend the public schools of said city when said child has a contagious or epidemic disease, or when either of said diseases exists in a family or household in which a child of school age resides, shall, on conviction thereof, be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the court. That authority is hereby conferred upon the Board of Education of said city to prescribe when, and under what evidence, a child may be refused admission to or, if already admitted, discontinued from attendance upon the public schools of said city, and when and upon what evidence readmitted to said public schools, by reason of such child having, or having had, a contagious or epidemic disease, or when either of said diseases have existed, or shall exist, in a family or household in which such child of school age resides.

Parents.

Penalty.

Board of
Education,
authority
given.Readmitt'd
to schools.

Nov. 5, 1883

SEC. 662. That any owner or person in possession of any horse or mule with glanders, who shall keep the same within the limits of said city three hours after the knowledge of the fact that said horse or mule has glanders, or three hours after notice to remove said horse or mule beyond the limits of said city, shall, on conviction, be sentenced to pay a fine not exceeding one hundred dollars, or to labor on the public works not exceeding thirty days.

Horses and
mules with
glanders
not to be
kept in
city limits.

Nov. 19, '88.

SEC. 663. No person shall lead, ride or drive on the public streets any horse or other animal that has the glanders, or other infectious or contagious disease, under penalty not to exceed fifty dollars.

Horses, etc.
with gland-
ers, etc.,
prohibited
on streets.

Carrying
diseased
animals
through
the streets.

Dec. 19, '87.

SEC. 664. That any person carrying through the street of said city any horse, mule, cow, sheep or hog sick with a contagious or infectious disease, without the permission of a sanitary inspector, shall, on conviction, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, or both, in the discretion of the court.

Sanitary
inspectors,
duty.

Merchants
and others.

Meats, fish,
poultry,
etc.

June 4, '91.

Penalty.

Dec. 20, '86.

Stale fruit,
or decayed
meats.

Penalty.

Sept. 17, '83.

Diseased
and
unwhole-
some meat
not to be
sold, kept,
or offered
for sale.

SEC. 665. That from and after the passage of this ordinance, it shall be the duty of the sanitary inspectors to condemn and require to be sent out of the city by the owner or party in possession thereof, under direction of such inspectors, as garbage, all decayed, or stale melons, fruits and vegetables, and all unsound, tainted, offensive, or unwholesome meats, fish, poultry, game, or other articles of food kept or stored in any box or refrigerator, held or offered for sale at any of the fruit stands, stores or markets in said city, or offered for sale from any car on any of the railroad tracks in said city. That any merchant, trader, dealer or other person who shall refuse to allow the inspectors aforesaid opportunity to inspect their stocks of melons, fruits, vegetables, and meats, fish, poultry, game, or food-stuffs of any kind, or who shall, when any of said stock is condemned, refuse to remove it from the city as garbage, shall, on conviction in the Recorder's Court, be punished by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days. That any merchant, marketman, fruit stand keeper, or other trader or dealer, who shall sell, or offer for sale, as food, any stale or decayed lemons, fruits or vegetables, or who shall sell, or offer for sale, as food, any spoiled or decayed meats, or fish, or other article of food, shall be punished, on conviction in the Recorder's Court, by a fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days, in the discretion of the court.

SEC. 666. That no animals or fish that died by disease or accident, no carcass of any calf, pig or lamb, which, at the time of being killed, was less than six weeks old, and no meat therefrom, nor any animal, nor meat therefrom,

killed while feverish, bruised, disabled, injured with broken limbs, or otherwise; heavy with young, jaded or fatigued from long driving or shipping; or killed or kept in same building, or in so close proximity with fumes or gas of diseased or other spoilt meats, or dead carcasses, as to be contaminated therefrom or rendered unwholesome or unhealthy thereby, or hauled in same vehicle, or manipulated with tools used on diseased or other dead carcasses as aforesaid, or dressed or kept in any building wherein animals, or parts of animals, dead from injury or disease are stored, kept or rendered, or wherein decomposed, putrid or offensive meats of any kind are kept, or within one hundred feet of any building wherein animals dead as aforesaid, or other unsound meats are stored, kept or rendered, or dressed, or kept in any house or upon premises which are not clean and maintained in a pure and wholesome condition by necessary disinfection, flushing, washing, scalding and lime washing, and the removal therefrom of all accumulations of filth and of all decomposing and offensive matter, shall be brought into said city, or in said city sold, held or offered for sale as food. Any person violating this section of this ordinance shall, on conviction thereof, be fined not exceeding one hundred dollars, or imprisonment not longer than thirty days, either or both, in the discretion of the court.

Jan. 3, 1887.

Feb. 21, '87.

Penalty.

SEC. 667. That after the passage of this ordinance, it shall be unlawful for any person to sell or offer for sale within the limits of the City of Atlanta, any impure, adulterated, sophisticated or unwholesome milk, or to sell or offer for sale as pure milk, any milk to which water or any other substance shall have been added, which in effect injures its quality or lessens its value; or to sell or offer for sale the milk from any cow that may be sick, diseased, or suffering from any bodily condition or disorder liable to render her milk unfit or unsafe to be used as food; or the milk obtained from cow kept in a filthy or unventilated stable or building, or in an offensively filthy lot, pen or

Selling adulterated or impure milk prohibited.

July 16, '88.

shed, or that may be fed upon food or allowed to drink any liquid which may so affect the milk that consumers shall be exposed to the risk of sickness or disease therefrom.

SEC. 668. Any person who shall violate any of the provisions of the foregoing ordinances, shall, after conviction in the Recorder's Court, be subject to a fine of not more than one hundred dollars or imprisonment for not more than thirty days, either or both, in the discretion of the court.

Oleomargarine, etc., not to be sold without representation of its nature.

SEC. 669. No merchant or dealer, or their agent or employee shall, in this city, sell any oleomargarine, butterine, or any other imitation of butter, without representing to the purchaser, clearly and distinctly, what he or she is selling.

Oleomargarine, etc., to be stamped as such.

SEC. 670. No merchant or dealer shall keep in their store, for sale, any oleomargarine, butterine, or other imitation of butter, unless the same has stamped on the body of the package, in letters one and one-half inches high, and the same width, the name of such imitation. A stamp on the lid shall be insufficient.

Penalty.

SEC. 671. Any person violating the provisions of either of the foregoing sections shall be summoned to appear, or may be arrested and taken before the Recorder's Court, and shall, on conviction, be fined in a sum not exceeding one hundred dollars, and not less than twenty dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court.

May 7, 1883.

Water-closets in fire limits to be connected with sewers and water.

SEC. 672. That from and after the passage of this ordinance, no person owning improved property or being the legal representative or agent thereof, shall have, on his or her premises, within the fire limits of said city, or elsewhere in said city outside of the fire limits, where water and sewerage are accessible, and all the provisions of sections 604 to 608 shall apply to these extended limits, any top privy wherein human excrement is deposited unless the same be connected with a sewer and proper water facilities for carrying off the same, without obtaining the written

Oct. 3, 1887.

consent to do so of the Board of Health of said city, which consent shall only be given when in the opinion of said board, it would be unreasonable and inconvenient to demand of such owner that the connection be made. Aug. 3, 1885

SEC. 673. That when neither the owner, legal representative or agent of said property are domiciled in said city, the tenant in possession shall be subject to all the pains and penalties hereinafter provided for violations of this ordinance. Who responsible.

SEC. 674. That it shall be the duty of the sanitary inspectors of said city to serve a copy of this ordinance on all parties offending the provisions thereof, which said copy shall be served forty days previous to trial for a violation of this ordinance, said copy to be served personally, or by leaving it at most notorious place of abode, or by leaving it at the premises in question. Copy of Ordinance to be served.

SEC. 675. That any person violating the provisions of this ordinance, shall, upon conviction before the Recorder of said city, be fined in a sum not exceeding one hundred dollars, or be imprisoned not longer than thirty days, either or both, in the discretion of the court, for each day's violation hereof. Penalty.

SEC. 676. That nothing herein contained shall be construed to mean that the City of Atlanta is liable for the expenses of construction of water closets, or of sewer connections, or of furnishing water facilities made necessary by this ordinance. City not liable for expense.

SEC. 677. That all water closets now, or hereafter, having sewer connections, shall also have proper water connection with the city water-works, or from private wind-mills or water-works, where there is an ample flow of water, and all said water closets shall be so flushed with water, of sufficient flow and strength, as will prevent the accumulation of offensive matter, and will safely and promptly carry off the same into the sewers. Water-closets having sewer connection must have water connection
Feb. 27, '87.

SEC. 678. Any person using, controlling or owning water closets not thus provided as above, shall, on conviction Penalty.

thereof before the Recorder, pay a fine of not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court:

Board of Health may require suitable water-closets on improved property.

SEC. 679. The Board of Health of said city shall have full power and authority to require the owner of any improved real estate within said city, to provide suitable privy or water closet accommodations upon such improved premises, whenever in the judgment of said board such improvements are necessary to preserve the health or to protect the sanitary interests of citizens of any neighborhood within said city.

Notice to provide water-closets.

SEC. 680. That after forty days' notice served upon the owner or the agent in charge of any such property, by one of the sanitary inspectors, to make and provide such accommodations aforesaid, and a failure to have same made

Penalty for failure.

and provided, such owner or agent or person in charge of such property shall be subject each day such accommodations aforesaid are not made and provided, to pay a fine not exceeding one hundred dollars and costs, or to imprisonment not exceeding thirty days, either or both in the discretion of the court.

Sept. 17, '90.

CHAPTER XXXI.

HEALTH—ASSESSMENT FOR.

SECTION.

- 681. Assessment.
- 682. Lot, what constitutes.
- 683. How collected.
- 684. Sanitary limits.
- 685. Limits extended.

SECTION.

- 686. Further extension.
- 687. Extension of 1889.
- 688. Extension of limits.
- 689. Limits extended.
- 690. Levy of assessment.

Feb. 20, '82.
Asses'ment

SECTION 681. An assessment of three dollars shall be levied each year upon each improved lot and the owner thereof within the sanitary limits for sanitary purposes.

SEC. 682. Each lot having a residence thereon, or a store-house, or each separate tenement where there are more than one, or each twenty-five feet of any hotel, manufactory, depot or machine shop, shall constitute a lot for said purpose.

Lot for—
what
constitutes

SEC. 683. The Sanitary Inspectors shall, by the first day of April each year, furnish to the Tax Collector and Receiver ^{How collected.} a full list of such lots and lot owners, and he shall collect such assessment at the same time and in the same manner that other taxes are collected.

SEC. 684. The limits in which such tax or assessment ^{limits.} shall be levied are known as the sanitary limits, and shall be as follows:

First District.—From Union Passenger depot along Central Railroad to West Mitchell street; along Mitchell to Elliott; along Elliott to Markham; along Markham to ^{Bound-} Mangum; along Mangum to Walker; along Walker to Nelson; along Nelson to Haynes; along Haynes to Walker; along Walker to West Fair; along West Fair to South Pryor; along South Pryor to Rawson; along Rawson to Frazier; along Frazier to East Fair; along East Fair to Terry; along Terry to Hunter; along Hunter to Butler; along Butler to Georgia railroad; along Georgia railroad to starting point at Union Passenger depot; from West Fair and Chapel streets, along Hills avenue to West Peters street; also along High street from the corner of Stonewall street and High street to Walnut street; along Walnut street to Larkin street; along Larkin street to Green's Ferry street; along Green's Ferry street to Leonard street; along Leonard street to Ella street, the present limits. And from the corner of Georgia avenue and Ira street: along Georgia avenue to Frazier street; along Frazier street to Crumley street; along Crumley street to Martin street, the present limits.

And that a sanitary tax of three dollars shall be assessed for the year 1890 on each of the various lots of land and lot owners within said lines; and that said property be ^{Mar. 20, '90.} subject to all legal assessments for sanitary tax from year to year, as other property within the sanitary limits of said city.

Second District.—From Union Passenger depot along Georgia railroad to Pratt street; along Pratt to Gilmer;

along Gilmer to Butler; along Butler to Jenkins; along Jenkins to Courtland; along Courtland to Cain; along Cain to Ivy; along Ivy to Peachtree; along Peachtree to West Peachtree; along West Peachtree to Simpson; along Simpson to Spring; along Spring to West Baker; along West Baker to Williams; along Williams to Cain; along Cain to Luckie; along Luckie to West Baker; along West Baker to Marietta; along Marietta to Simpson; along Simpson to Western and Atlantic railroad; along Western and Atlantic railroad to starting point at Union Passenger depot.

Mar. 15, '86.

In the 2nd district from Hilliard street and Georgia railroad: along the Georgia railroad to Yonge street; along Yonge to Decatur street; along Decatur to Hilliard street, the present limits. From Merritt's avenue and Courtland street to Cox street; along Cox to West Peachtree; along West Peachtree to Pine, the present limits. From Simpson and McAfee streets to Mills street; along Mills to Luckie street, the present limits. From Hunnicutt and Plum streets; along Plum to Corput street; along Corput to W. & A. railroad; along W. & A. railroad to Johns street.

Third District.—The following land lots in the 530th District, Georgia Militia, known as Blackhall District, to-wit: Land lots numbers, 71, 72, 73, 74, 86, 87, 88, 89, 90, 103, 104, 105, 106, 107, 120, 121, 122, and in Fulton county, Georgia.

Sanitary
limits
extended.

How
increased.

July 7, 1884.

All ordinances referring in any wise to the sanitary limits as established be, and the same are hereby extended to the territory herein previously named; and shall be increased or diminished in the discretion of the Board of Health, subject to ratification by the General Council.

Sanitary
limits
extended.

May 3, 1886.

SEC. 685. That from and after the passage of this ordinance the sanitary limits of said city shall extend to and embrace all that territory in the City of Atlanta within the following lines, to-wit: Beginning at the corner of East Hunter and Hill streets: running thence along Hunter to Fort street; thence along Fort to Georgia railroad; thence along Georgia railroad to Bell street; thence along Bell to

Hunter street, and thence to beginning point; and, that a sanitary tax of three dollars be assessed for the year 1886 on each of the various lots of land and lot owners within said lines, and that said property be subject to all legal assessments for sanitary tax from year to year as other property within the sanitary limits of said city.

SEC. 686. The sanitary limits are so extended as to embrace all that territory within the following lines, to-wit: Beginning on West Peachtree and running along Cox street to Spring street: along Spring street to Hunnicutt avenue; along Hunnicutt avenue to the beginning point on West Peachtree; and that the various lots of land and lot owners within said lines be assessed a tax for sanitary purposes, according to law. June 7, 1886

SEC. 687. The sanitary limits are extended as follows: *First District.*—Commencing at the corner of Smith and Richardson street: along Richardson street to Windsor street; along Windsor street to Crumley street; along Crumley street to McDaniel street, the present limit. Then from the corner of Hill and Jones street to Grant street; along Grant street to East Fair street, along East Fair street to Gullatt; along Gullatt street to Georgia railroad; along Georgia railroad to present limit. Sanitary limits extended.
Mar. 7, 1889

Second District.—From the corner of Merritt's avenue and Calhoun street: along Calhoun street to Ponce de Leon avenue; along Ponce de Leon avenue to Peachtree street; thence along Kimball street to West Peachtree street; along West Peachtree street to Cox street; along Cox street to Williams street; along Williams street to Pine street; along Pine street to Spring street, the present limit. Mar. 7, 1887

SEC. 688. The sanitary limits are so extended as to embrace all of the territory within the following lines, to-wit: Beginning at the corner of the Western & Atlantic railroad and Thurmond street, the present limits, and running along the Western & Atlantic railroad to Jones avenue, to Haynes street; along Haynes street to Thurmond street; along Thurmond street to Mangum Sanitary limits extended.
Feb. 20, '88.

Sanitary
limits
extended.

Feb. 20, '88.

street; along Mangum street to Newton street, the present limits. From the corner of Mangum and Rhodes streets, the present limit: along Rhodes street to Davis street; along Davis street to West Mitchell street; along West Mitchell street to Haynes street; along Haynes street to Markham street, the present limits. From the corner of Hill's avenue and Chapel street to Leonard street; along Leonard street to Ella street; along Ella street to corporation line; along corporation line to Whitehall street, the present limits. From the corner of Rawson and Hood streets: along Hood street to Windsor street; along Windsor street to Eugenia street; along Eugenia street to South Pryor street; along South Pryor street to Richardson street; along Richardson street to Pulliam street; along Pulliam street to Crumley street; along Crumley street to Frazer street; along Frazer street to Clarke street, the present limits. Second District beginning at the corner Decatur and Yonge streets, the present limits, and running along Decatur street to Antoinette street; along Antoinette street to Gartrell street; along Gartrell street to Yonge street; along Yonge street to Wheat street; along Wheat street to Fort street; along Fort street to Houston street; along Houston street to Butler street, the present limits. From corner Ponce de Leon avenue and Courtland street: along Courtland street to Third street; along Third street to West Peachtree street; along West Peachtree street to North avenue; along North avenue to Spring street; along Spring street to Cox street, the present limits. From corner Spring and Mills: along Mills street to Williams street; along Williams street to Alexander street; along Alexander street to Fowler street; along Fowler street to Pine street; along Pine street to Luckie street; along Luckie street to North avenue; along North avenue to Western & Atlantic railroad; along Western & Atlantic railroad to Corput street, the present limits. And that the various lots of land and land owners be assessed a tax for sanitary purposes according to law.

SEC. 689. The sanitary limits of said city shall extend to and embrace all the territory in the City of Atlanta within the following lines, in addition to the limits as now defined by law, to-wit:

Sanitary
limits
extended.
Mar. 18, '89.

Beginning at the corner of Mangum and Magnolia streets, and along Magnolia to Haynes; along Haynes to Rhodes. Beginning at Davis and West Hunter streets, and along West Hunter to Maple; along Maple to Tatnall; along Tatnall to High; along High to Stonewall; along Stonewall to Bailey; along Bailey to West Fair; along West Fair to Chapel. Beginning at corner of Glenn and Ira streets, and along Glenn to Washington; along Washington to Cemetery. Beginning at corner of Antoinette and Decatur streets, and along Decatur street to the Boulevard; along the Boulevard to Edgewood avenue; along Edgewood avenue to Jackson street; along Jackson to Irwin; along Irwin to Hilliard; along Hilliard to Ellis; along Ellis to Fort; along Fort to Cain; along Cain to North Butler; along North Butler from the corner of Cain street to Box street; along Box to Calhoun. Beginning at corner of Peachtree street and corporation line: along corporation line to Western & Atlantic railroad; along Western & Atlantic railroad to North avenue.

SEC. 690. And that a sanitary tax of three dollars be assessed for the year 1889, on each of the various lots of land and lot owners within said lines; and that said property be subject to all legal assessments for sanitary tax from year to year, as other property within the sanitary limits of said city.

Sanitary
tax levied
on lots in
extended
limits

CHAPTER XXXII.

HORSES AND MULES—HOGS AND GOATS.

SECTION.

691. Straying in streets.

692. Letting down enclosures.

SECTION.

693. Driving mules.

Straying
on street.

SECTION 691. Whenever the police force shall find any hog or hogs, goat or goats, horse or horses, mule or mules, and any other live stock (not including milch cows), running at large in the corporate limits of the City of Atlanta, it shall be their duty to take up and put said hog or hogs, goat or goats, horse or horses, mule or mules, or any other live stock, in pens or lots, and, after ten days notice in four of the most public places of the city, to sell the same at the place in which they are confined, at public outcry, to the highest bidder: *Provided*, that the owner of said hog or hogs, goat or goats, horse or horses, mule or mules, or other live stock, shall be entitled to the same by proving property and paying the sum of one dollar per head, and all expenses before sale; *provided, further*, that it shall not change or modify the ordinance in reference to the hours in which horses and mules may be driven through the streets.

Letting
down
enclosures.

SEC. 692. Any person who shall hereafter suffer his or her hog or hogs, goat or goats, horses or mules, or any other live stock, to run at large, in any street or public place in the City of Atlanta, or who shall let down the fence, or any bars, or open any gate of any inclosures, where any hog or hogs, goat or goats, horses or mules, or any other live stock may be confined by virtue of an ordinance of the City of Atlanta, for the purpose of permitting or allowing said hog or hogs, goat or goats, or other live stock, to escape therefrom, shall, upon conviction before the Recorder, Mayor, Mayor *pro tem.*, or three members of Council, pay a fine of not exceeding one hundred dollars, and cost of trial, or be imprisoned in the station-house or common jail of the county not exceeding thirty days, in the discretion of the court.

SEC. 693. It shall be unlawful to drive unhaltered mules in droves of more than five through the streets of the City of Atlanta, between 8 and 9 A. M., and between 2 and 3 o'clock P. M.

Driving
mules.

Mar. 5, 1887

Feb. 8, 1878.

Any person violating this ordinance shall be fined not exceeding one hundred dollars, or be imprisoned not exceeding one month.

Penalty.

CHAPTER XXXIII.

LICENSES.

SECTION.

- 694. Mayor to supervise.
- 695. Free licenses.
- 696. Street vendors.
- 697. Fruit stands.

SECTION.

- 698. Ticket scalpers.
- 699. Retail drug stores.
- 700. Ice dealers.
- 701. Telephone company.

SECTION 694. The Mayor shall enter in a book kept for the purpose, an account of the number of all blank licenses and blank receipts, with their duplicates, delivered by him to the Clerk of Council, and the Clerk of Council shall account to the Mayor and General Council, through the Finance Committee, for all such blanks. This ordinance takes the place of section 29 of the tax ordinance for the year 1876, and annuls said section.

Mayor's
duties, etc.

SEC. 695. That no free license shall hereafter be granted under any circumstances, to any person for any purpose, unless such person shall have been a citizen of the city continually for the two years next preceding the asking of the same.

Free
license.

SEC. 696. No license shall be granted to any person or firm to erect a stand or sell from street or pavement, any patent medicine, novelty, or article of merchandise generally sold by itinerant vendors, except with the written consent of the person or persons occupying the store, office, or residence, before which it is proposed selling said merchandise and by order of the Mayor. The license tax for such privileges shall not be less than fifteen dollars per

License
for street
vendors.

Jan. 20, '79.

Amount of.

week for each stand or salesman, unless granted on petition to General Council, and no license shall be granted for less than one week.*

Street
stands
for sale of
fruits, etc.,
abolished.

Mar. 15, '86.

SEC. 697. From and after the first day of April, 1886, no license shall issue to any itinerant peddler or other person, for the purpose of selling articles of merchandise from any stand or location, in or upon the streets or roadway proper, between the curbing, in said city.

Ticket
scalpers.

Aug. 7, '90.

SEC. 698. The tax ordinance is hereby amended, so as to require ticket scalpers to pay at the rate of two hundred dollars per year; no license to issue for less time than the remainder of the tax year, ending June 30th, of each year.

Retail drug
stores pay
\$10 license.
Jan. 6, 1890.

SEC. 699. That the license tax on retail drug stores carrying a stock of not exceeding five hundred dollars be reduced from twenty-five dollars to ten dollars.

Ice dealers
with other
busin'ss \$10
July 9, 1890.

SEC. 700. That dealers in ice, in connection with other business, be required to pay a license of ten dollars.*

Nov. 18, '89.
Telephone
Company
license \$50,
and tax \$1
per box or
station.
Dec. 17, '89.

SEC. 701. That the Southern Bell Telephone and Telegraph Company pay a tax for the year 1889 of one dollar for each telephone station or box, with instrument complete, rented or used by their subscribers, in the City of Atlanta, and that this be accepted in lieu of *ad valorem* tax against said Company, and that they pay the license tax of fifty dollars imposed in the Tax Ordinance for 1889.*

CHAPTER XXXIV.

MAYOR.

SECTION.

702. Location of office.
703. Use.

SECTION.

704. Pardoning.

Location.

SECTION 702. The Mayor shall keep his office at some central point of the business portion of the city, and shall have for his office hours such times of the day as he may designate, to be not less than three hours each day (except

* See Sec, 784a.

* See Annual Tax Ordinance.

* See Annual Tax Ordinance.

Sunday), during which hours, save in the event of Providential hindrance, or absence from the city on official business, he shall be present at said office. The rent of said office shall be paid by the city.*

SEC. 703. The office of the Mayor, in the business portion of the city, may be used by the City Treasurer, if that officer so desires, and by various committees of Council.

SEC. 704. The Mayor, or, in his absence or inability, the Mayor *pro tem.*, shall be authorized upon a proper case made and in his discretion, to remit a portion or all of the penalty imposed by the Recorder for violations of city ordinances: *Provided*, if the fine in any case be fifty dollars or less, or the sentence to imprisonment for less than thirty days, the Mayor shall not entertain any application for executive clemency, unless the petition for pardon is accompanied by a written recommendation from the Recorder or Court trying the case.

Use.

Pardoning power.

Mar. 1, 1881

If \$50 or less must be recommended by Recorder.

May 2, 1887.

CHAPTER XXXV.

OFFICERS—ORDINANCES.

SECTION.

705. Mayor *pro tem.*
706. Oaths of officers.

SECTION.

707. Weekly reports.
708. Ordinances—how adopted.

SECTION 705. The General Council shall, at the second meeting in January of each year, determine by *viva voce* vote which Alderman shall be elected Mayor *pro tem.*

Mayor *pro tem.* elected

SEC. 706. Each officer of the city shall take and subscribe to the oath, for the faithful discharge of the duties of his office, in the form prescribed by the Charter for the Mayor and members of Council.

Oath.

SEC. 707. All Marshals, whether regular or special, and all other executive officers or agents of the incorporation, are hereby required to make weekly reports to the Clerk of

Weekly reports.

*Mayor elected bi-ennially. Ineligible to re-election. *Ex-officio* a member of various boards. Has veto power. May not practice law in criminal cases nor adversely to the city.

the Council, in writing, of all sums of money, or any other property received by them, and all sums paid by them. They shall also report all charges that may occur in connection with their offices, in favor of or against the corporation, and all officers and agents must make quarterly reports, in writing, to the Mayor and General Council, of their actings, and pay over all moneys or other things received by them to the proper officer. On failure of any officer or agent to comply with this ordinance, he shall be liable to be dealt with as for other misfeasance or malfeasance in office, and fined at the discretion of the Mayor and Council, or be dismissed from office, or both, as to them shall seem proper.*

Ordinance read once at two meetings—unless by two-thirds vote ordered to a second reading at first meeting.

SEC. 708. All ordinances requiring action by the Mayor and General Council in joint session shall undergo one reading each at two different regular or special or called meetings, or at one regular and one called meeting, before adoption; except that by a two-thirds vote of the members present, an ordinance may be read twice at the same regular, called or special meeting and adopted. All ordinances requiring action by the Mayor and Council and Board of Aldermen separately, shall undergo one reading each at two different regular or special or called meetings of the Mayor and Council, or at one regular and one called meeting before adoption, except by a two-thirds vote of the members thereof present, an ordinance may be read twice at the same regular, called or special meeting and adopted.

An ordinance requiring separate action and concurrence by the Board of Aldermen shall undergo such reading only in said board as such board may, by rule, prescribe.

* Make daily settlements with Treasurer and daily reports to Comptroller.

CHAPTER XXXVI.

PEACE, GOOD ORDER AND MORALS.

SECTION.

- 709. Public indecency.
- 710. Indecent dress.
- 711. Noise at night.
- 712. Drunkenness.
- 713. Intoxication on streets.
- 714. Relief from penalty.
- 715. Penalty for drunkenness.
- 716. Lewd women—at night.
- 717. Men not talk with.
- 718. Penalty.
- 719. Alabama flips.
- 720. Penalty.
- 721. Saloons—opening and closing.
- 722. Stores closed on Sunday.
- 723. Loitering in stairways.
- 724. Penalty.
- 725. Piedmont park.
- 726. Females not enter bar-rooms.
- 727. Penalty.
- 728. Minors not permitted to enter billiard rooms.
- 729. Minors must not enter without consent of parents.
- 730. Pool rooms—when closed.
- 731. Penalty.
- 732. Shooting in city.
- 733. Defacing buildings.
- 734. Cock fighting.
- 735. Injuring street lamps.
- 736. Gas and gasoline lamps.
- 737. Barber shops—close Sundays.
- 738. Fresh meats—not sell on Sundays.

SECTION.

- 739. Owners of houses ill fame.
- 740. Houses ill fame—how abated.
- 741. Occupants punished.
- 742. Evidence sufficient.
- 743. Tenants ejected.
- 744. Disorderly houses.
- 745. Public meetings.
- 746. Arrest of offenders.
- 747. Arrest State offenders.
- 748. Posse summoned, how.
- 749. Interfering with policemen.
- 750. Firing cannon.
- 751. Fire-works.
- 752. Assembling and loitering on streets.
- 753. Loitering in front of churches.
- 754. Lodging in outhouses, etc.
- 755. Penalty.
- 756. Feeding animals on streets.
- 757. Passenger depot.
- 758. Duty of officers and policemen.
- 759. Disturbance of schools.
- 760. Disorderly conduct at churches.
- 761. Impeding funeral procession.
- 762. Guard of small-pox patients.
- 763. Defacing poles.
- 764. Mocking birds not trapped.
- 765. Fishing prohibited.
- 766. Limitation of prosecutions.
- 767. Entry fee must be paid.
- 768. Penalty.

SECTION 709. Any person who shall, within the corporate limits of Atlanta, be guilty of an act of public indecency, ^{Public indecency, etc.—how punished.} tending to debauch the morals of any of the citizens, or of quarreling, or of using obscene, vulgar, profane language, or malicious mischief, or otherwise act in a disorderly manner, (which offense is not recognized as penal by the laws of this State,) shall, on conviction, pay a fine of not exceeding ^{Penalty.} one hundred dollars and costs, or be imprisoned in the calaboose or common jail of the county, not more than thirty days, in the discretion of the court.

SEC. 710. Any person who shall, in the City of Atlanta, ^{Indecent dress.} appear in any public place naked, or in an indecent or lewd

Obscene
publications

Penalty.

dress, or shall make any indecent exposure of his or her person, or be guilty of any indecent or lewd act or behavior, or shall exhibit or sell, or offer for sale, any obscene, vulgar or licentious book, picture or painting of any character whatever, or who shall exhibit or perform in any hall, house, or public place in said city, any indecent, immoral, or lewd play or dance, or who shall sing to a public audience any sacrilegious, indecent, vulgar or lewd song, shall, upon conviction, be fined in a sum of not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, or required to work not exceeding thirty days on the streets of said city, in the discretion of the court. It shall be the duty of the police and officers of the city to arrest every person violating this ordinance in their presence, or on complaint of any citizen of a violation of this ordinance by any person or persons.

Noise
at night.

Penalty.

SEC. 711. Any person who shall make any noise at night calculated to disturb the public peace, or to annoy any of the citizens, shall (if done in the presence of the Chief of Police) be arrested by him and carried before the Mayor's Court for trial, and if not done in the presence of said Chief of Police, then upon complaint made, he or she shall be proceeded against as in other cases of a violation of these ordinances, and be fined not exceeding one hundred dollars and costs, or be imprisoned in the calaboose or public jail of said county not more than thirty days, in the discretion of the court.

Drunken-
ness, etc.

Penalty.

SEC. 712. Any person who shall be found drunk, hooting, hallooing, or making any other unnecessary or unusual noise, to the disturbance of any citizen, may be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days.

Drunken-
ness—Fine
of \$100 and
costs or 30
days im-
prisonment

SEC. 713. It shall be unlawful for any person to be and appear on the streets of said city in an intoxicated condition; and any person so offending shall, on conviction thereof before the Recorder of said city, pay a fine of not exceeding one hundred dollars, or be imprisoned not longer

than thirty days, either, or both, in the discretion of the court: *Provided*, that any person so convicted of such offense may relieve himself or herself from the penalty thus incurred and imposed by forthwith giving information and evidence which will lead to the conviction of the person or persons unlawfully furnishing him or her with the liquors by which he or she became thus intoxicated.

Relieved
against
penalty by
giving in-
formation
of unlawf
furnishing
of liquor.

SEC. 714. It shall be the duty of the court convicting the offender under the provisions of the foregoing section of this ordinance, to inform the defendant of the manner therein provided for relieving himself or herself from the penalty to said offense.

Court to
inform
prisoner
of this
method of
relief.

SEC. 715. It shall be unlawful for any person to be and appear on the streets or alleys of said city in an intoxicated condition; and any person so offending shall, on conviction therefor before the Recorder, be fined not exceeding one hundred dollars, or imprisonment by working on the public works of said city for not exceeding thirty days, either, or both, in the discretion of the Recorder.

Drunken-
ness—Fine
not to ex-
ceed \$100 or
public w'ks
more than
30 days.

Oct. 22, '90.

SEC. 716. It shall be unlawful for any prostitute or woman of notoriously lewd character to walk the streets, alleys or other public thoroughfares of the City of Atlanta, or ride around the same during the night season.

Lewd
women not
allowed in
public
places
at night.
July 18, '87.

SEC. 717. And it shall be unlawful for any male person to talk in a familiar manner to any such woman or women, or be in company with any such woman or women, knowing the same to be such, upon the streets, alleys or thoroughfares of said city.

Men not
talk with
them
familiarily.

SEC. 718. Any person or persons violating the above ordinance shall, on conviction in Recorder's Court in said city, be punished by a fine not to exceed one hundred dollars, or imprisoned not to exceed thirty days.

Penalty.

SEC. 719. That it shall be unlawful for any person in this city to have, carry or use on the streets in said city, what is commonly known as the "Alabama slings or flips," or carried.

Alabama
slings or
flips not
to be kept
or carried.

SEC. 720. Any person so offending, on conviction thereof in the Recorder's Court, shall be punished by a fine not

Feb. 7, 1887.

Penalty.

exceeding one hundred dollars, or imprisoned not less than thirty days, one or both, in the discretion of the court.

Keeping
open doors
after hours

SEC. 721. Any retailer of spirituous or fermented liquors, who shall keep open doors after the hour of ten o'clock at night and before five o'clock in the morning within the City of Atlanta, for the purpose of vending spirituous

Feb. 6, 1875.

liquors, or other intoxicating drinks, shall, upon conviction, be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned in the calaboose or common jail of said county not more than thirty days, in the discretion of the court, and forfeit his license as a retailer.

Keeping
open stores
etc., on the
Sabbath.

SEC. 722. Any merchant, billiard-table, or ten-pin alley keeper, or other dealer, who shall keep open doors on the Sabbath day, or trade or traffic on that day; and any person who shall do work, or in anywise labor, or cause work to be done on the Sabbath day, (except it be work of necessity,) shall be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned in the calaboose or common jail of said county not more than thirty days, in the discretion of the court: *Provided*, that the Mayor and General Council may not punish for violating the State laws as on the Sabbath day; *and, provided further*, that the above shall not prevent the sale of soda-water on the Sabbath day by those who may have paid for selling the same, and who are entitled to keep open doors on the Sabbath day.

Loitering
or sleeping
in stair-
ways, etc.,
prohibited
and
punished.

SEC. 723. That from and after the passage of this ordinance it shall not be lawful for any person or persons in said city to loiter or sleep on or at the foot of the stairway of any building in said city, or to loiter or to sleep in or on boxes or hogsheads, or other things in street or sidewalks or alleys, or on public grounds, or on the private premises or grounds of another without the consent of the person in control of any such premises or grounds, or to habitually loaf around the hotels and public places of the city.

June 4, 1888

Penalty.

SEC. 724. Any person violating the foregoing shall, on conviction thereof, be fined not exceeding one hundred dol-

lars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court.

SEC. 725. That all laws and ordinances now in force pertaining to the maintenance of peace and good order within the corporate limits of said city, be, and the same are hereby, declared of force within the limits of the territory embraced in Piedmont Park.

Ordinances
of force at
Piedmont
Park.
Sept. 19, '87.

SEC. 726. It shall be unlawful for any woman or girl to enter any bar-room or room connected with a bar-room in the City of Atlanta, for the purpose of drinking or loitering therein.

Females
not to enter
bar-rooms.
July 6, 1890.

SEC. 727. And any woman or girl violating this ordinance, and proprietor or employe in a bar-room permitting such violation, shall be arrested, and on conviction in the Recorder's Court shall be punished by a fine not less than five dollars nor exceeding one hundred dollars, or by imprisonment not exceeding thirty days, in the discretion of the court trying the case.

Penalty.

SEC. 728. It shall not be lawful for any person or persons having charge or control of any pool or billiard room and tables kept for hire, to admit into any such room any minor, or to allow any minor to play at any such billiard or pool table, without the written consent of the parent or guardian of such minor; and any person or persons violating the provisions of this ordinance, shall, on conviction thereof, be punished by a fine of not exceeding one hundred dollars and costs, or imprisonment of not longer than thirty days, either or both, in the discretion of the court.

Keepers of
billiard or
pool rooms
or tables
n't to allow
minors to
enter or
play with-
out written
consent of
parent or
guardian.

Penalty.

SEC. 729. Any minor who shall, without the written consent of his parent or guardian, enter any room or place where billiard or pool tables are kept for hire, or who shall, without such consent, play at any billiard or pool table kept for hire, shall be subject to the same penalty prescribed in the section next preceding. And it shall be the duty of the police department to enforce strictly all the provisions of this ordinance.

Minor not
to enter or
play in
billiard or
pool room
without
written
consent, etc

Penalty.

Billiard
and pool
rooms to
close at
10 P. M.
Mar. 4, 1889.

SEC. 730. From and after the passage of this ordinance the keepers of all billiard and pool rooms, except those in hotels, shall be required to close such rooms at ten o'clock P. M.

Penalty,

SEC. 731. Any person keeping a billiard or pool room open, or permitting persons to play on the tables therein after ten o'clock P. M., in violation of section 730 of this Code, on conviction before the Recorder's Court, shall be punished by fine not exceeding one hundred dollars and costs, or imprisoned not exceeding thirty days for each offense, in the discretion of the court.

Shooting
in city.

SEC. 732. Any person shooting with any fire-arms in said city, unless it be in a licensed shooting gallery, or by permission of the Mayor and General Council, on military parades, shall be fined, on conviction, in a sum not exceeding one hundred dollars and costs, or be imprisoned not more than thirty days in the station-house or public works, in the discretion of the court.

Defacing
buildings.

SEC. 733. Any person who shall write, paint, draw, carve, or cut any letter or letters, word, words, or device, or in any way mutilate or deface any church, public building, private house, wall, or fence, belonging to another in said city, or shall post any bills on the same without the owner's consent, shall, on conviction, be fined not exceeding one hundred dollars and costs, or be imprisoned not more than thirty days, in the discretion of the court.

Cock
fighting.

SEC. 734. Any person who shall fight chicken cocks in the corporate limits of this city, either with or without gaffs, and any person who shall bet any money, or other things of value at a chicken cock fight, shall be liable, on conviction, to pay a fine of not exceeding fifty dollars and cost of trial, or be imprisoned in the station-house or public works not more than thirty days, in the discretion of the court.

Penalty.

Injuring
street
lamps.

SEC. 735. Any person, or persons, who shall break, injure, or deface any of the street lamps, or lamp posts, or gas fixtures, belonging to the city, or the Atlanta gas light

company shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days in the station-house or public works. Penalty.

SEC. 736. That any person or persons who shall break, deface, or otherwise wantonly and improperly interfere with any of the gas, or gasoline lamps in this city, shall, on conviction before the Recorder's Court, pay a fine not exceeding fifty dollars, or be imprisoned not exceeding thirty days. Gas and gasoline lamps not to be interfered with. April 6, '85.

SEC. 737. It shall be unlawful for any barber to keep open on the Sabbath day, or to pursue his vocation in any manner on said day within the said city, and any person so offending, shall, on conviction before the Recorder of said city, be fined in a sum not exceeding fifty dollars, or imprisoned not longer than thirty days, either or both, in the discretion of the court. Barbers prohibited from keeping open shops on pursuing vocation on Sabbath July 20, '85.

SEC. 738. It shall be unlawful for any butcher, grocer or dealer in fresh meats, vegetables, fish, oysters, fruits or melons to keep open doors in said city on the Sabbath day, or send out that day to his customers any of such goods previously sold. Any violation of this ordinance shall, on conviction before the Recorder, be punished with a fine not to exceed fifty dollars for each offense, or imprisonment not longer than thirty days, either or both, in the discretion of the court. Sale and delivery of fresh meats, fish, etc., on the Sabbath day prohibited. Aug. 3, 1885.

SEC. 739. Any owner, or agent of such owner, of any house or houses, who may rent, or cause to be rented, or occupy, or allow to be occupied, any house, or portion of a house, to be used as a house of ill-fame, in the City of Atlanta, shall, upon conviction thereof, pay a fine of not exceeding one hundred dollars, and shall be imprisoned in the calaboose not exceeding thirty days; and any owner, or agent of such owner, of any house or houses in said city, who shall suffer or permit any woman of ill-fame to occupy any such house or houses, within said city, for the purpose of fornication or adultery, for the space of two days after notice thereof by the Chief of Police, shall, upon con- Owners of houses of ill-fame. Penalty.

viction thereof, be subject to all the pains and penalties above specified.

Abated—
how.

SEC. 740. Any person being the owner or occupant of a house of ill-fame, who shall continue the same, or allow the same to be continued for two days after the same has been so adjudged by the Recorder, Mayor, Mayor *pro tem.*, or three members of Council, on conviction thereof, shall be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days in the calaboose, or both, in the discretion of the court; and it shall be lawful for the Chief of Police, by the order of the Recorder, Mayor, or, in his absence, the Mayor *pro tem.*, or three members of Council, to abate such nuisance by demolishing, tearing down, or closing up such house or houses, for which he shall receive such sum as may be adjudged reasonable by the said Recorder, Mayor, Mayor *pro tem.*, or three members of Council, for his services, to be paid by the owner.

Occupants
of houses
of ill-fame.

SEC. 741. Any person or persons, who shall occupy, or allow to be occupied, any house, or portion of a house, to be used as a house of ill-fame in the City of Atlanta, shall, upon conviction thereof, pay a fine of not exceeding five hundred dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the court.

Penalty.

Evidence
admissible.

SEC. 742. Circumstances from which it may be reasonably inferred that any house is inhabited by disorderly persons of immoral character and notoriously bad fame, shall be sufficient to establish the fact that such house is a disorderly house, or house of ill-fame.

Ejection
of tenants.

SEC. 743. When any house or houses shall be adjudged by the Recorder, Mayor, Mayor *pro tem.*, or three members of Council, to be a house or houses of ill-fame, and the occupant or occupants is not the owners thereof, it shall be the duty of the Chief of Police to eject the tenant or tenants therefrom.

Disorderly
houses.

SEC. 744. Any person or persons who shall permit parties of disorderly character to assemble in his or their house

or houses, within the corporate limits of the City of Atlanta, to the disturbance of the citizens residing in his, her or their neighborhood, shall be guilty of keeping a disorderly house, and shall, on conviction, be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the court. ^{Penalty.}

SEC. 745. The President, Chairman, or other officer, or committee of men, or any persons who desire or intend to call a public meeting of the citizens of Atlanta, for political purposes, shall notify the Mayor, or Chief of Police, of such desire or intent, and of the time and place of meeting, before said meeting is called, and upon failure to do so, upon conviction thereof, shall be fined not exceeding fifty dollars and costs, or be imprisoned in the calaboose of the city not exceeding thirty days, in the discretion of the court; and upon receiving such notice it shall be the duty of the Mayor, or Chief of Police, to attend such meeting with a sufficient police force to preserve peace and order. ^{Public meetings.}

SEC. 746. The police shall arrest and confine in the guard-house any offender against the laws and ordinances of this city, where, in their judgment, such arrest and confinement is necessary to secure said offender's appearance before the court, to answer his or her offense, or preserve the peace of the city; or, they may take bond and good security, to be judged by the arresting officer, to appear and abide their trial. ^{Arrest of offenders.}

SEC. 747. Any person who shall commit a violation of the penal laws of this State in the presence of the Chief, or officer or member of the police force, shall be arrested by them, or either of them, and carried before some proper officer for examination, and if ordered by the Mayor, or any member of Council, or by the Court, to prosecute any such offender, he shall do so. ^{Violation of penal laws, etc.}

SEC. 748. Any person or persons in said city, between the ages of eighteen and fifty years, who, upon being summoned by a member of the police force, or Mayor, or a member of Council, to aid in suppressing an affray, breach of the ^{Persons summoned to suppress affrays, etc.}

peace, or other outrage, shall refuse so to do, or refuse to arrest or aid in arresting any offender against the laws of this State, or any ordinance, and any person who shall oppose, resist, or obstruct any police officer in the discharge of any duty, or the police, in the arrest of any offenders against any ordinance or law of this State, or other discharge of duty, shall, on conviction, pay a fine of not exceeding one hundred dollars and cost, or be imprisoned not exceeding thirty days, or both.

Penalty. **Policemen.** **Interfering with.** **Penalty.** SEC. 749. That it shall be unlawful after passage of this ordinance, for any person or persons to hinder, obstruct, or impede any police officer, or policeman, in the discharge of any duty; it shall be unlawful to menace or threaten such officers, or men, while in the discharge of such duty, and no person or persons shall follow up said officer, or men, while in charge of prisoners after he or she has been commanded to desist, or after any crowd shall have been commanded to disperse, and any person or persons who shall or may be guilty of the foregoing acts, shall, upon conviction of the Recorder, or Mayor, or other officer presiding in the Recorder's Court, be fined in a sum not exceeding one hundred dollars, or be confined at hard labor on the streets of said city for a space not exceeding thirty days, in the discretion of the court.

Firing cannon. **Aug. 7, 1876.** **Penalty.** SEC. 750. It shall be unlawful for any person or persons, or company, within the incorporate limits of the city, to fire off a cannon, or other piece of artillery, without special permission of the Mayor and General Council. Any person, or persons, who shall violate this ordinance, shall each be fined not exceeding one hundred dollars and cost, or be imprisoned not more than thirty days, or both, in the discretion of the court.

Fireworks. **Penalty.** SEC. 751. Any person who shall burn rockets or crackers, or any kind of fireworks, within the incorporate limits of the City of Atlanta, without permission in writing from the Mayor shall, on conviction of such offense, pay a fine of not exceeding five dollars and cost.

SEC. 572. Any person assembling and loitering on the streets in sufficient numbers, or in any such manner as to be an obstruction to free passage on the streets or sidewalks or crossings, and failing to disperse upon notification of any officer or member of the police force, or any citizen, shall, on conviction, be fined not exceeding one hundred dollars, or be imprisoned not longer than thirty days, in the discretion of the court.

Assembling and loitering on streets.

Oct. 6, 1879.

Penalty.

SEC. 753. Any and every person who, in said city, after having been directed by any officer or member of the police force to move away therefrom, shall remain or loiter in front of any church or other place of public worship during service therein, or front of any theatre, concert hall, ball room, etc., or in front of any coffee house, bar-room, or beer saloon, or shall loiter or idle his or her time on the sidewalks of public streets of this city, shall be deemed an idle and disorderly person, and, on conviction thereof, shall be punished as hereinafter provided.

Idling in front of churches, etc., prohibited.

Aug. 5, 1889

SEC. 754. That any or every person in said city, wandering abroad, lodging in any barn or outhouse, or in any deserted or unoccupied building, or in the open air, and not having any means of subsistence and not giving a good account of himself or herself, and any and every person who shall in said city endeavor to procure charitable contributions under fraudulent pretence, and every person who shall in said city play or bet it any street or public place at any game or pretended game of chance, shall, on conviction thereof, be punished as hereinafter provided.

Lodging in outhouses, etc.

Fraudulent begging.

Public playing and betting.

SEC. 755. Any person who shall be convicted of violating any or either of the provisions of the foregoing ordinance shall, for each offence, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

Penalty.

SEC. 756. Any person or persons who shall feed any horse, mule, cow, or other animal, on the streets of the city, except it be from feed buckets or bags suspended from the head of such animal, shall, on conviction, be punished by

Feeding animals on the streets.

Feb. 20, '82.

fine not exceeding one hundred dollars, or be imprisoned not more than thirty days, in the discretion of the court.

Passenger
Depot

SEC. 757. It shall not be lawful for any person or persons to enter the General Passenger Depot in said city in the capacity of porter or porters for any hotel or boarding house, except with the consent of the railroad authorities in charge of said depot, and any person violating this ordinance shall be tried by the Recorder, or other proper authority, and, upon conviction, shall pay a fine of not exceeding one hundred dollars, or be imprisoned not exceeding thirty days.

Duty of
police
officers and
policemen.

SEC. 758. If any person or persons entering said General Passenger Depot, and violating the rules governing the same, or obstructing the business of the railroad authorities interested therein, may be ordered out by the police officer in charge, and upon refusal to go shall be arrested and tried for a violation of this section, and, upon conviction, shall be punished as provided in the first section hereof; *provided*, said rules shall be such as are reasonable, and which said Mayor and General Council shall have approved.

Rules
must be
approved
by Mayor
and
General
Council.

Disturb-
ance of
public
schools.

Dec. 4, 1882.

Penalty.

SEC. 759. No person shall be permitted at or near any public school house in this city to engage, by conversation, sign or otherwise, the attention of any of the pupils at said schools to the disturbance of the same or the detriment of the discipline of such schools, and any person doing so shall, on conviction, be fined not more than one hundred dollars, or imprisoned not longer than thirty days.

Churches.

Disorderly
conduct.

Penalty.

Nov. 5, 1883

SEC. 760. That no person or persons shall congregate in and around any church in the City of Atlanta, either before, after, or during divine service, in such a disorderly or rude manner as to become and be offensive, and a disturbance to those attending such church, and it shall be unlawful for any person or persons, by such unseemly gatherings, or by loud talking, whistling, or laughing, to disturb any congregation of people assembled for divine service in this city. Any person or persons violating the provisions of this ordinance, shall, upon conviction thereof in the Mayor's or

Recorder's Court, before the Mayor, Mayor *pro tem.*, Recorder, or any three members of Council, pay a fine of not exceeding one hundred dollars, or confined in the city chain-gang not exceeding thirty days. That it shall be unlawful for any person or persons to be engaged in smoking, loud talking or laughing in or near the entrance or vestibule of any church in this city during divine worship. Any person or persons violating this ordinance, on conviction before the Recorder's Court, shall be fined in a sum not less than one nor more than one hundred dollars, or be confined upon the public works, not less than one nor more than thirty days, one or both, in the discretion of the court.

Penalty.

Feb. 16, '85.

SEC. 761. Any person or persons who shall drive a vehicle of any kind through any line of vehicles following any funeral procession through the streets of the city, or in any way impeding, retarding, or interfering with any such procession, shall, on conviction, be fined not more than one hundred dollars, or imprisoned not longer than thirty days.

Impeding
funeral
procession

Nov. 7, 1881

Penalty.

SEC. 762. Any person or persons filling the position of guard or guards at any place in the city, where small-pox patients are confined, who shall permit any person or persons to enter or leave the premises without the permission of the Board of Health, shall, on conviction, be fined not more than one hundred dollars, or imprisoned not longer than thirty days.

Guards of
small-pox
patients
not to
allow any
one to pass.

May 1, 1882.

Penalty.

SEC. 763. Any person or persons who shall post any hand-bills, advertisements or pictures upon any painted telegraph or telephone poles, or who shall mar or deface the same by cutting or whittling, or who shall tie any horse or other animal to any painted poles, shall, on conviction, be fined not more than twenty-five dollars, or imprisoned not longer than twenty days.

Defacing
telegraph
or
telephone
poles.

July 17, '82.

Penalty.

SEC. 764. No person shall be permitted to decoy and trap mocking birds within the limits of said city, and any person so offending, shall, on conviction before the Recorder of said city, be punished by a fine not exceeding one hun-

Mocking
birds
not to be
trapped.

Oct. 5, 1885.

Penalty. dred dollars, or by imprisonment not longer than thirty days, either or both, in the discretion of the court.

Fishing, etc., in Water Works prohibited. SEC. 765. It shall not be lawful for any person to fish in, or trespass or commit any depredations on what is known as the water-works pond or reservoir, or the tributaries feeding the same; any person so offending, upon conviction
May 3, 1886. in the Recorder's Court, shall be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, one or both, in the discretion of the court.

Limitation of prosecutions. SEC. 766. All prosecutions for violations of city ordinances, shall be commenced within two years after such violation, and any offense against said ordinances for which no prosecution is begun within two years after its commission, shall be barred, unless the party shall have been beyond the City of Atlanta, in which case the time of
May 3, 1886. absence from the city shall not be embraced or computed as within said two years.

Entry fee must be paid. SEC. 767. That it shall not be lawful for any person to enter into any enclosure where an entry fee is charged, in any other than the usual and ordinary way.

Sept. 19, '87. SEC. 768. Any person violating Section 767 of this Code shall, on conviction thereof before the Recorder, be fined not exceeding twenty-five dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the court.
Penalty.

CHAPTER XXXVII.

PEDDLERS.

SECTION.

- 769. License from city.
- 770. Penalty.
- 771. License from Ordinary.
- 772. Penalty.
- 773. Soliciting orders.
- 774. Street drummers.
- 775. Penalty.
- 776. Meats from wagons.
- 777. Book agents.
- 778. Penalty.

SECTION.

- 779. Tags required.
- 780. Ice cream cakes prohibited.
- 781. Penalty.
- 782. Fruits not peddled.
- 783. Penalty.
- 784. No license to vend medicine on streets.
- 784a. Prohibits peddling and itinerant trading.

SECTION 769. No itinerant trader, or peddler, licensed License from city. by the Ordinary of any county in this State, shall offer for sale any goods, wares, or merchandise, in the incorporate limits of the City of Atlanta, without first obtaining from the Clerk of Council a license, for which he shall pay the Not prevent disabled soldiers peddling. sum of fifteen dollars, and Clerk's fee, for each day he, she or they shall offer any goods, wares or merchandise for sale in said city.

SEC. 770. If any such person shall offer any goods, wares License from Ordinary. or merchandise for sale in the incorporate limits of said city, without first having obtained a license from the Clerk of Council, the Chief, or some officer or member of the police force shall arrest such person, and carry him, her or them before the Recorder, Mayor, Mayor *pro. tem.*, or three members of Council, for trial, when he, she or they shall be fined in a sum not exceeding one hundred dollars each, for every day he, she or they shall violate the preceding section, or be imprisoned in the station-house or common jail of the county not more than thirty days.

SEC. 771. If any itinerant trader or peddler shall offer Peddling without license. any goods, wares or merchandise for sale within the City of Atlanta, without license from the Ordinary of Fulton county, he, she or they shall be immediately arrested by the police force and carried before the Mayor, or some member of Penalty. Council, where, upon proof of such charge being made, he, she or they shall be bound over to the next term of the

Superior Court of said county thereafter, to answer said offense.

June 7, 1886
Must exhibit license.
Penalty.

SEC. 772. And any person peddling in said city, with or without license, who shall fail or refuse to exhibit his or her license on demand of an officer so to do, shall, on conviction thereof before the Recorder of said city, pay a fine of not exceeding ten dollars or be imprisoned not longer than ten days, either or both, in the discretion of the court.

Selling clothing or soliciting orders for printing.
Oct. 6, 1879.
License.
Penalty.

SEC. 773. No person or firm shall take or solicit orders from others than registered clothiers or merchant tailors of this city for men's underwear, suits of clothing or parts thereof, who are not employed by registered clothiers or merchant tailors, nor no person or firm shall take or solicit orders from others than regularly registered news-printing or book manufacturing houses for any class or kind of printing, or blank book manufacturing, without having first obtained a license to do so from the Clerk of Council, and paying therefor the sum of one hundred dollars per annum, and registry fee, and the sum of one dollar and fifty cents on each one hundred dollars of all sales and orders taken. Any one violating the provisions of this ordinance shall, on conviction, pay a fine of one hundred dollars, or be imprisoned thirty days, in the discretion of the court.

License of street drummers.

SEC. 774. Any person soliciting trade or custom for any merchant or merchants in said city, on the streets or elsewhere, away from the store of any such merchant, shall be required to register as street drummer, and pay a tax for carrying on said business until the 1st of July, 1880, of twenty-five dollars and Clerk's fee of fifty cents, and said tax cannot be paid for a less period than until the 1st of July, 1880: *Provided*, that this ordinance shall not apply to representatives of wholesale houses in this city soliciting business from or selling goods to other registered merchants.

Penalty.

SEC. 775. Any person doing business as above stated, and failing to register and pay the tax above required, shall be arrested by any officer or member of the police force and taken before the Recorder's Court, and, on con-

viction, shall be fined not to exceed one hundred dollars, or be imprisoned not to exceed thirty days, either or both, in the discretion of the court, and execution shall be issued by the Clerk of Council for said tax, which shall be levied and collected by the Marshal as other tax *fi. fas.*

SEC. 776. No person shall sell any fresh or green meats upon the streets of the city from any wagon or other conveyance without first obtaining a license from the Clerk of Council, and having such wagon or other conveyance duly numbered and registered, and any person or persons violating this ordinance shall, on conviction, be fined not more than one hundred dollars, or imprisoned not longer than thirty days. The cost of above license shall be twenty-five dollars, and registration fee of fifty cents, and no license shall be issued for less than one year.

Sale of
meats from
wagons.

SEC. 777. Every person or firm engaged in the sale of books, maps, charts, or mathematical instruments within the corporate limits of this city, whether they shall occupy an office, or sell the same upon the streets, shall be required to register his, her, or their business, and pay for the same the sum of twenty-five dollars and the Clerk's fee of fifty cents.

Book
agents to
pay tax.

Jan. 1, 1883.

SEC. 778. No license shall be issued to peddle groceries, and any person so peddling as aforesaid, shall, on conviction thereof before the Recorder, be fined in a sum not exceeding one hundred dollars, or be imprisoned not longer than thirty days, either or both, in the discretion of the court.

No license
issued to
peddle
groceries.

May 17, '86.

Penalty.

SEC. 779. All persons peddling meats from wagons shall be required to obtain a tag from the Clerk of Council, at actual cost, to be placed on the wagon, and any failure to do so, or to exhibit a license on demand, shall pay a fine of not exceeding fifty dollars, or be imprisoned not longer than thirty days, either or both, in the discretion of the court.

Peddling
meat from
wagons—
Tag
required.

Dec. 20, '86.

Penalty.

Selling ice cream on streets prohibited. SEC. 780. No license shall issue to sell ice cream cakes, or ice cream, by peddling the same or selling from carts or other vehicles on the streets of said city.

May 16, 1887

Penalty. SEC. 781. Any person who shall, in said city, sell ice cream cakes or ice cream, by peddling the same, or selling from carts or other vehicles on the streets of said city, shall, on conviction thereof, be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, either or both, in the discretion of the court.

Peddling fruits, etc., forbidden. SEC. 782. No person or persons shall be permitted, under a peddler's license, or any other license, to peddle within the corporate limits of said city, any vegetables, berries, melons or fruits, except such as are raised by such peddler or peddlers.

June 6, 1887

June 6, 1887 SEC. 783. That any person or persons violating the foregoing ordinance shall be guilty of a misdemeanor, and, on conviction before the Recorder's Court of said city, shall be fined any sum not to exceed one hundred dollars, or put to work on the public streets for a term not to exceed thirty days, either or both, in the discretion of the Recorder.

Penalty.

SEC. 784. No license shall be granted to any firm or person to sell from streets or pavements, tents, booths or stands of any description, not being a regular store-house, any patent medicines or concoctions of medicinal properties, or other articles claimed to be remedies for physical ills, and any person engaging in such occupation, shall, on conviction for each offense, pay a fine of not exceeding five hundred dollars, or be imprisoned at labor in the stockade or on the public streets not longer than thirty days, either or both, in the discretion of the court.

Vending of medicines, etc., on streets prohibited.

Nov. 19, '88

Penalty.

SEC. 784 (a). (1.) On and after July 1st, 1891, no peddling, itinerant traders, or selling from stands on the streets, shall be permitted within the corporate limits of this city, except the selling of bread and milk, and of country produce from wagons by producers: *Provided*, that nothing herein contained shall be so construed as to prohibit producers from selling their own products. (2.) Penalty for violation, fine of not more than one hundred dollars, or imprisonment not exceeding thirty days, for each offense.

Peddling
and itinerant trading
prohibited.

June 4, '91.

CHAPTER XXXVIII.

NUISANCES.

SECTION.

- 785. Board of Health may inquire.
- 786. Judgment conclusive.
- 787. Penalty for refusal to abate.
- 788. Fine collected by execution.
- 789. Power of Mayor and General Council reserved.

SECTION.

- 790. Defendant—how summoned.
- 791. Jurisdiction of Recorder.
- 792. Slaughter-pens prohibited.
- 793. Privies, cow lots, etc.
- 794. Penalty.

REGULATING PROCEDURE IN CASES OF NUISANCES.

SEC. 785. The Board of Health of the City of Atlanta, are hereby empowered, in any case in which complaint may be made before them by any citizen, or in which their own investigations as health officers may show it to be necessary, to summon before them the owner, agent in control of, or tenant in possession of any premises, in the city or on the lands constituting the water-shed of the water-works, incorporated for the purpose of allowing the city authorities to preserve the purity of the water in the reservoir and the streams contributing thereto, on which it is claimed a nuisance exists, and to hear evidence and determine the question of the existence of such nuisance.

Board of
Health
may in-
quire, hear
evidence,
etc., as to
existence
of nuisance

SEC. 786. The judgment of the Board of Health as to the existence or non-existence of a nuisance in any case thus tried shall be conclusive, and where the existence of a nuisance is thus determined in any such case, the Board of

Judgment
of Board
conclusive.

Health may, in their discretion, pass an order requiring the owner, agent in control of or tenant in possession of the premises, whenever such nuisance exists, to abate the same in such number of hours or days as may seem reasonable to said Board of Health, or pass an order requiring the City Marshal immediately to abate the same at the expense of such owner, agent or tenant.

Penalty
for refusal
to abate.

SEC. 787. In any case wherein the owner, agent or tenant as aforesaid shall have been required to abate a nuisance adjudged by the Board of Health on a trial as aforesaid to exist on his or her premises, and fail to abate the same within the time allowed by the order of the Board of Health, such owner, agent or tenant, as the case may be, shall, on conviction before the Recorder's Court, be punished by a fine not exceeding one hundred dollars, or imprisoned at labor not exceeding thirty days; and each day such nuisance is continued shall constitute a new offense, and on the trial of such a case before the Recorder, the certificate of the Secretary of the Board of Health shall be conclusive evidence of the finding of the Board of the fact of the existence of the nuisance, and of the time allowed in which to abate the same and of the fact that the time thus allowed was reasonable and sufficient.

Execution
for fine.

SEC. 788. When any nuisance is abated by the Marshal under order of the Mayor and General Council, or of the Board of Health, in cases tried by them as aforesaid, the City Clerk shall issue an execution in favor of said Marshal against the owner, agent in control, or tenant in possession of the premises whereon such nuisance was abated, for the expense of such abatement, and such execution shall be levied and collected as in case of tax executions, and shall be a lien on the property whereat such nuisance was abated until fully paid off.

Mayor and
General
Council
may try.

SEC. 789. Nothing herein contained shall be held to deny or abridge the jurisdiction of the Mayor and General Council to try and determine the question of the existence of nuisances of any kind, and to provide by their judgment

and order for the abatement thereof in cases tried before them, by the defendant or the Marshal as aforesaid, except that no case already tried before the Board of Health shall be re-tried before the Mayor and General Council, nor shall any case already determined by the Mayor and General Council be again tried by the Board of Health.

SEC. 790. Whenever a trial before the Mayor and General Council, or before the Board of Health, becomes necessary in order to determine whether or not a nuisance exists in any particular case, a summons must be issued by the City Clerk, directed to the owner, agent in control of, or tenant in possession of, the premises where a nuisance is charged to exist, and be served by the Marshal, his deputy, the Chief of Police, or any officer or member of the police force, or one of the sanitary inspectors, upon such owner, agent or tenant. This summons must specify the place and character of the nuisance complained of, and fix the time and place for trial, and state before which board the trial will take place. The defendant must be given reasonable opportunity to secure counsel and testimony before the trial begins, but no postponement shall be had on this ground, where full diligence on his part is not shown.

SEC. 791. The Recorder's Court, as heretofore, shall have full jurisdiction to try and dispose of all questions of nuisance affecting the public health, in which no action is had before the Mayor and General Council as a court, or before the Board of Health sitting as a court as herein before provided, and shall also have jurisdiction to try and, in case of conviction, to punish persons failing to abate nuisances under order from the Mayor and General Council, or the Board of Health sitting as a court as aforesaid.

SEC. 792. That no person, firm or corporation shall carry on the business of a slaughter house or slaughter pen, or stock yard or stock pen, on any ground in the City of Atlanta, draining into the water-works' reservoir, or on any of the lots of land in Blackhall district, incorporated for the

Defendant
—how
summoned

Has jurisdiction of
obstruction of
alleys, etc.,
under late
charter
amendments.

July 5, 1886

No
slaughter
houses
or pens
allowed.

purpose of enabling the City of Atlanta to preserve the purity of said water.

Privies,
filthy or
improperly
con-
structed;
cow lots,
etc.

SEC. 793. The following things are also declared nuisances if existing in said city or on any of the land lots aforesaid, to-wit: Filthy privies, and privies not constructed, furnished, and used with appliances now or hereafter required by ordinance for preventing the flow of urine through the earth into the water; horse lots or cow pens bordering on or taking in any part of the streams emptying into the reservoir of the water-works, or such lots or pens when not cleanly kept, though off such streams; piles of manure not protected from rain and from water flowing through them toward the reservoir aforesaid, or any stream emptying therein; a dead horse, ox, cow, yearling, or other animal or any other thing which will injuriously affect the purity and healthfulness of the water in the reservoir.

June 7, 1886

Penalty
for failure
to abate.

SEC. 794. Any person, whether owner, agent in control of, or tenant in possession of premises on which any of the nuisances above declared shall exist, who shall fail to abate the same within six hours after being notified so to do, shall, on conviction, be fined not exceeding one hundred dollars or imprisoned at labor not exceeding thirty days.

CHAPTER XXXIX.

POLICE DEPARTMENT.

SECTION.

- 795. Government of force.
- 796. Relief and grades.
- 797. Meetings of board.
- 798. Complaints against officers.
- 799. Chief of police.
- 800. He shall give orders.
- 801. General duties.
- 802. Responsible for good order.
- 803. Books to be kept.
- 804. Report to Board.
- 805. Report expenses.
- 806. Report of force.
- 807. Charges against members.
- 808. Sickness or absence.
- 809. Captains.
- 810. Public peace.
- 811. Duties.
- 812. Report delinquents.
- 813. Men not leave beat.
- 814. Captains' responsibility.
- 815. Complaints of citizens.
- 816. Violations of rules noted.
- 817. Must be neat.
- 818. Must patrol beats.
- 819. See policemen on beat.
- 820. Sergeants subordinate.
- 821. Policemen.
- 822. Punctual attendance.
- 823. Must be quiet and orderly.
- 824. Drinking and gambling.
- 825. Not visit saloons.
- 826. Permission to leave city.
- 827. Conduct.
- 828. Not maltreat prisoners.
- 829. Neatness required.
- 830. Receiving presents.
- 831. Stolen property.
- 832. Breach of the peace.
- 833. Must inspect beat.
- 834. Furnish information.
- 835. Watch bad characters.
- 836. Notice vehicles.
- 837. Remain until relieved.
- 838. Give name and number.
- 839. Must know rules.
- 840. Report on coming off.
- 841. Walk beat.

SECTION.

- 842. Not talk except police business.
- 843. Nor to other policemen.
- 844. Always on duty.
- 845. Roll call.
- 846. Umbrellas, etc.
- 847. Obey officers' orders.
- 848. Must not oppress.
- 849. Authority questioned—explain.
- 850. Assistance on request.
- 851. Vagrancy.
- 852. Electioneering.
- 853. Under charge of officers.
- 854. Arrest all offenders.
- 855. Guard city from fire.
- 856. Report all offenders.
- 857. Intoxication of policemen.
- 858. Assuming to be policemen.
- 859. Dismission or suspension.
- 860. Station house keepers.
- 861. Station house rules.
- 862. No liquor, etc.
- 863. Detectives.
- 864. How governed.
- 865. Under orders of board.
- 866. Private room.
- 867. Keep records.
- 868. Application for detectives.
- 869. Application by non-residents.
- 870. Arrests.
- 871. Daily transactions.
- 872. Pictures of offenders.
- 873. Photographs of criminals.
- 874. Gaming and lewd houses.
- 875. Citizens request.
- 876. Rewards.
- 877. Streets, bridges, etc.
- 878. Stolen property.
- 879. Disposed of—how.
- 880. Leaks in water pipes.
- 881. Special policemen.
- 882. Twelve months' residence.
- 883. Force consists of what officers and men.
- 884. Electric lights.
- 885. Mounted sergeant.
- 885(a.) Oath of officers and men.

SECTION 795. The police force of the City of Atlanta shall be governed and controlled by a board consisting of ^{Government of} police force

five Police Commissioners.* The board, in their management of the police force, shall be guided and controlled by the city charter, existing ordinances, and such additional ordinances as may hereafter be passed by the Mayor and General Council.

Reliefs, etc. SEC. 796. The number of reliefs into which policemen shall be divided, and the hours of service to be performed without relief, is entrusted to the control and discretion of the Police Commissioners. Until changed by ordinance, the police force of the city shall be divided into five † grades or divisions, viz: Chief, captains, sergeants, guard-house keepers and privates, whose general duties shall be to preserve and maintain peace, good order and good government in the city, and whose special duties are more particularly set forth under their respective heads. The privates shall be divided into two divisions, each division to be under the immediate control and supervision of a Captain. Two Captains shall at all times be on duty, one in each of the two police districts of the city. The Western & Atlantic and Georgia railroads shall be the line between the two police districts.

Grades in police force, etc.

Meetings of Board. SEC. 797. The Board of Police Commissioners shall meet once every month, or oftener, and meetings may be called by a majority of the board, due notice being given to each member thereof. The Secretary shall record its proceedings in books kept for the purpose. The ayes and nays shall be recorded on all judgments dismissing members from the force, or electing members on the force (when desired by any member of the board), and on such other questions as may be required by the Board of Police Commissioners.

Complaints against officers and members. SEC. 798. All complaints made against officers or members of the police force shall be in writing, setting forth distinctly the act or acts complained of, and also giving the names of the witnesses thereto, which complaint shall be

* The Mayor is *ex-officio* member—making six in all.

† A Detective corps organized April 1, 1891.

verified by affidavit and directed to any member of said board. Upon receipt of said written complaint a majority of the board may, if in their judgment said complaint is sufficient to authorize an investigation, order the suspension of the party complained of until the meeting of the board, which shall be called at the earliest day practicable. At such meeting the officer or policeman shall be tried according to such rules and regulations as now govern such trials before the Mayor and Council, and may be suspended or dismissed from the service. Any member of said board, or police officer on duty, may make complaint, not under oath, to a majority of the board, who may act upon said complaint in the same manner as prescribed above. Upon any trial, witnesses shall not be examined or cross-examined together longer than one hour, nor shall counsel sum up longer than one-half hour without the unanimous vote of the members of the board present. Objections to testimony shall be briefly stated, and submitted without argument. ^{Examination of witnesses.} Supernumeraries may be dismissed from office by resolution of Board of Police without charges for trial. ^{Supernumeraries.}

SEC. 799. The Chief of Police is the chief executive officer of the Police Department, but he is always subject to the orders and regulations of the Board of Police Commissioners, and it is his duty to promulgate the same; and it is the duty of the police force to respect and obey all orders of the said Chief, not in conflict with these rules and regulations. He shall give bond in the sum of seven thousand dollars, and shall receive such compensation as may be fixed by the Mayor and General Council before his election, which shall not be changed during his term. He shall keep and use a horse in the performance of his duties. ^{Chief of Police.}

SEC. 800. He shall have power to give such orders to the Captains and members of the police force as he may deem proper, and it shall be their duty to render to him and his orders implicit obedience. ^{Shall give orders.}

SEC. 801. It shall be his duty at all times, day or night, to preserve the public peace; prevent the commission of ^{General duties.}

crime, and arrest offenders; to protect the rights of persons and property; to regard the public health; to report nuisances in the streets, alleys, and other places; to provide proper police force at fires; to protect the firemen and property thereat; to protect strangers and travelers at railway stations; to enforce obedience to all ordinances of the City Council which are applicable to police or health; to see especially that the rules and regulations of the Board of Police Commissioners are carried into effect, and to discharge such other duties as may be required of him by the city ordinances.

Responsible for good order, etc. SEC. 802. He will be held responsible for the good order of the city, and general conduct of the officers and men of the police force. It is enjoined on him to pay frequent visits at uncertain hours to various portions of the city, and thus be able to supervise the conduct of the officers and men.

Books to be kept. SEC. 803. He shall keep the following books in his office: 1. A book of records, showing the names of every officer and man connected with the police force, the district in which stationed, their places of residence, the date of appointment and time of removal, and the happening of any vacancies. 2. A book showing a summary of the daily reports of the Captains, who shall discharge the duties of said Chief during sickness or absence. 3. A book wherein he shall take receipts from the Clerk of Council for all moneys paid over by him to said Clerk. 4. A book showing all cattle taken up and the disposition of the same.

Report to Board. SEC. 804. He shall make a report in writing to the Police Commissioners every month, showing condition of the police force; the number of times each policeman has been absent during the month, with the cause of such absence; the condition of the station-house; the number of arrests, and the cause of arrests; the number of ordinance violations reported, and the names of such policemen as deserve special commendation. He shall also submit the monthly pay-roll to the Chairman of the Board, who will sign the

July 5, 1880.

same. The Chief will then make a duplicate for the Chairman of the Finance Committee to use as a voucher, and one to be filed in the station-house.

SEC. 805. He shall be required to make a monthly report to the Board of Commissioners, of all expenses incurred by the Police Department, with the proper vouchers. Expense of department.

SEC. 806. He is required to report all violations of the rules and regulations governing the police force, to any member of the Board of Police Commissioners, in writing, and, on failure to do so, will be tried for neglect of duty. Report of force.

SEC. 807. When charges are filed in his office against any member of the police force, he shall immediately transmit the same to the Secretary of the Board of Police Commissioners, together with the names of the witnesses to be subpœnaed, that the charges may be investigated by the Board of Police Commissioners. Charges against members.

SEC. 808. In case of his sickness or absence from the city, the Board of Police Commissioners may designate one of the Captains, who shall discharge the duties of said Chief, during sickness or absence.* Sickness or absence.

SEC. 809. The Captains of Police shall each have charge of such relief or division of the force as may be assigned them by the Police Commissioners, or Chief, and shall each give bond in the sum of three thousand dollars. Captains. Mar. 19, '87

SEC. 810. Captains of Police will be held strictly responsible for the preservation of the public peace in their respective districts. Public place.

SEC. 811. The Captain in charge of each relief is required to inspect his men when going on duty ; require them to be present fifteen minutes before roll-call, and call the roll when going on and off of duty, and make accurate returns of the time each member has served. No lost time will be allowed, except in the discretion of the Commissioners. Duties.

SEC. 812. It shall be the duty of the Captains on duty, in case any member is absent without permission from any Must report delinquents.

* See Assistant Chief.

roll-call, to go to the house of that member and ascertain and report the cause of his absence to any member of the Board, or Chief of Police.

MUST NOT leave beat. SEC. 813. The Captain in charge of each relief will not allow his men to leave their beat or station until relieved by the other relief.

Captain's responsibility. SEC. 814. Each Captain will be held responsible for the performance of the duties assigned to each member of the force under his command, and is required to report all delinquents to the Chief of Police.

Complaints of citizens. SEC. 815. They shall diligently inquire into every complaint made by citizens of the laxity in the performance of duty on the part of policemen, or into any grievance complained of as by them committed.

MUST note violations of men. SEC. 816. Each Captain shall note every violation of these rules and regulations which may come to his knowledge, and he shall immediately prefer charges for such violation to the Chief of Police, for investigation by the Board of Police Commissioners, and, on failure, he will be tried for neglect of duty.

MUST be neat, etc. SEC. 817. Each Captain, and every member of his force, must come on duty neat and clean in person, and dressed in the prescribed uniform, and at the call of the roll at the commencement and termination of each tour of duty, he shall inspect the men, and report all negligence in attire, want of cleanliness, or unfitness for duty from any cause.

MUST patrol beats. SEC. 818. They shall, while on duty, constantly patrol the beats allotted to their forces, and enforce the performance of duty by the policemen.

SHALL see policeman on beat. SEC. 819. The Captain shall, if possible, see each man on his beat without calling, but should he not be able to find him, the call will be given in the center, and on each extremity of such beat, and if unable then to find the man he is in search of, he shall extend the adjoining beats until that of the absent man is fully covered, and he will report to the Chief of Police the name of the man, and the cause of absence, if ascertained.

SEC. 820. The Sergeants shall be subordinate to the Chief and Captains of Police. They shall discharge such ^{Duties of Sergeants.} duties, in addition to making arrests and prosecuting offenders against the laws of the State and ordinances of the city, as the ordinances prescribe, and as may be directed from time to time by the Board of Police Commissioners or the Chief of Police or the Captain in charge of the watch with which any Sergeant is serving at the time.

SEC. 821. Each member of the police force shall devote ^{Policemen} his whole time and attention to the business of the Police Department, and although certain hours are allotted to the respective members for the ordinary performance of duty, he must at all times be prepared to act immediately, on notice that his services are required.

SEC. 822. Punctual attendance, prompt obedience to ^{Punctual attend-} orders and conformity to these rules and regulations will ^{ance, etc.} be rigidly enforced.

SEC. 823. Each member of the police force must be quiet, orderly and civil in his conduct and deportment; he ^{Must be quiet, orderly, etc.} must at all times refrain from violent or profane language, and in the performance of his duty, must maintain full command of his temper.

SEC. 824. All members of the police force are strictly ^{Drinking and gam-} prohibited from drinking while on duty (or off with their ^{ing.} uniforms on). No gaming, playing of cards or games of chance will be allowed.

SEC. 825. All members of the police force are strictly ^{Shall not visit bar-} forbidden to visit or enter bar-rooms, or saloons, or any ^{rooms, etc.} place where liquor, lager beer, or other intoxicating drinks are kept for sale, or houses of ill-fame, while on or off duty with their uniforms on, except in the performance of duty.

SEC. 826. No member of the police force will be per- ^{Permis-} mitted to leave the city without permission from the Chair- ^{sion to leave city.} man of the Police Commissioners—application being made through the Chief of Police.

SEC. 827. Members of the police force must be civil and ^{Conduct.} respectful to each other on all occasions.

Shall not
maltreat
prisoners.

SEC. 828. No member of the police force shall wilfully maltreat or use unnecessary violence to a prisoner or citizen. He must never use his club or fire-arms, except in most urgent cases of self-defense.

Must be
neat in
person.

SEC. 829. Every policeman, when entering on duty, must be neat in person, having his badge, clothes and boots clean, and his dress in conformity with the regulations.

Receiving
presents.

SEC. 830. No member of the police force shall receive any present, fee, or reward for police services, other than the regular pay, except where rewards have been offered for the arrest of criminals.

Stolen
property.

SEC. 831. Property coming into the possession of the police, supposed to be stolen or lost, shall be given to the officer in charge of the station-house, who shall send it to the Chief with his daily report.

Breach of
the peace.

SEC. 832. Each policeman must, to the utmost of his power, prevent the commission of assaults, breaches of the peace, and all other crimes about to be committed.

Must in-
spect beat.

SEC. 833. Every policeman shall carefully inspect every part of his beat.

Must be
informed,
etc.

SEC. 834. He must at all times be enabled to furnish particular information respecting the state of his beat.

Bad
characters.

SEC. 835. He shall strictly watch the conduct of all persons of known bad character.

Notice
vehicle.

SEC. 836. He shall take particular notice of all hacks and other vehicles at night, which, under any circumstances, excite suspicion.

Remain on
beat until
relieved.

SEC. 837. No policeman shall leave his beat or station until properly relieved, except in cases of extreme illness, when he shall report to the officer in command, or in case of the arrest or conveyance of a prisoner to the station-house, or when necessary to render assistance in an adjoining beat. Violation of this rule will subject the offender to trial.

Shall give
name and
number.

SEC. 838. He shall give his name and number to all persons who may inquire, except, where it would defeat the ends of justice.

SEC. 839. All policemen must acquire a full knowledge of the requirements of the rules and regulations provided for the government of the police force, in order to understand and properly perform their duties. Knowledge of rules.

SEC. 840. Each policeman shall report on coming off duty, all houses improperly opened, all nuisances observed by him, and all violation of ordinances, with names of offenders, witnesses, etc. Report on coming off duty.

SEC. 841. All members of the police force are required to walk their beats or stations while on duty; no lounging on street corners or other places will be tolerated. No smoking will be allowed while on duty. Shall walk beat.

SEC. 842. Policemen must not walk or talk with citizens while on duty, except on police business, then he will stand and hear what the business is, and if it requires immediate attention, attend to it; if not, he will direct the person, or persons, to the station-house. Talking with citizens.

SEC. 843. Policemen must not engage in conversation with one another while on duty, except on police business, and then as briefly as possible. Conversation between policemen.

SEC. 844. Each member of the force will be deemed always on duty, subject to relief therefrom, as shall be allowed by proper authority, and the same responsibility (as to the suppression of disturbances and the arrest of offenders) rest upon them when not in uniform, as when in uniform on post of duty. Always on duty.

SEC. 845. Failure of any member of the force to be present at roll-call for three successive occasions, shall subject him to a trial and dismissal, except a good and valid excuse shall be shown. Roll-call.

SEC. 846. Umbrellas or walking-canes are not to be carried by any member of the force, except officers, while on duty. Umbrellas, etc.

SEC. 847. All policemen must readily and strictly obey the orders and instructions of his officers. If they appear to him either unlawful or improper, he may complain to the Chief, or Board of Police Commissioners, who will pay Orders of officers.

due attention to him ; but, any refusal to obey the orders of his superiors, or negligence in doing so, will not be suffered.

Oppres-
sion, etc.

SEC. 848. Any policeman who shall be convicted of using his office with malice, to oppress or persecute, or annoy any person, or persons, shall be suspended or dismissed from the force.

Authority
ques-
tioned.

SEC. 849. He shall, when about to arrest an offender, or to examine any suspicious person or circumstance, in case his authority is questioned, declare himself a policeman in the execution of his office, and shall then proceed to perform his duty.

Assistance
on request.

SEC. 850. On complaint and request for assistance, any policeman shall hasten to assist the person suffering. It is the duty of the police force to acquaint themselves with the laws and ordinances of the city, that they may cause them to be observed, and whether they are on duty or not, shall notice, correct, or report to the officer of guard any infraction of public order or law.

Vagrancy.

SEC. 851. Every policeman is required to strictly enforce the law against vagrancy, and for that purpose must apprehend all persons going about from door to door, or placing themselves in streets, or highways or other roads, to beg or gather alms, and all other persons wandering about and begging, and convey them to the station-house.

Election-
eering.

SEC. 852. No officer or member of the police force will be allowed to advocate the claims of any citizen for any municipal office, to the neglect of his official duty.

Under
charge
of Chief
and Lieu-
tenants.

SEC. 853. It shall be their duty to guard the city by day and by night; to enforce obedience to all laws and ordinances of the city, and to preserve peace and order at all hours of the day and night. The time and place of their duty shall be designated by the Police Commissioners, subject to be changed at their discretion.

Arrest all
offenders.

SEC. 854. They shall arrest all offenders against the laws and ordinances of the city, and carry them before the officers on duty at the police headquarters. They shall be conservators of the peace, and shall assist, when necessary,

See 505
et seq.

in suppressing any riot, or other disorderly conduct and breach of the peace which shall come to their knowledge.

SEC. 855. They shall guard the city from fire, and are hereby required, on the appearance of fire, to give immediate alarm by ringing of the fire-bell and crying "fire," and shall protect persons and property.

Guard city
from fire.

SEC. 856. It shall be their duty to be vigilant in detecting and reporting offenders against these ordinances; and any member of the police force who shall know any person to be guilty of a breach of these ordinances, and shall fail to report the same, shall, upon proof thereof, be forthwith removed from office.

Report all
offenders.

SEC. 857. If any of the officers of the police force, or policemen, shall at any time become intoxicated, or under the influence of liquor, or fail, neglect, or refuse to perform all duties as the laws or ordinances of the city may require, or shall be guilty of any immoral or disorderly conduct, such officer or policeman so offending may be suspended from duty until the first regular meeting of the commissioners, when such offender shall be tried, and, if found guilty, shall be fined, reprimanded, or removed from office, or all, in the discretion of the commissioners.

Intoxica-
tion of
policemen.

SEC. 858. It shall not be lawful for any person not being a policeman in the city, to assume to act as such, or act as such, or represent himself as such; and every one violating this clause of this ordinance, upon conviction thereof, shall be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, in the discretion of the court.

Assuming
to be
policemen.

SEC. 859. Every member shall be suspended or dismissed from office against whom any of the following charges shall be substantiated, to-wit:

Dismissal
or
suspension

Of any act of insubordination or disrespect towards a superior officer.

Of acts of oppression and tyranny of those under his command.

Of neglect of duty.

Of violations of the rules of the force.

Of neglect or disobedience of orders.

Of absence without leave.

Of immoral conduct, drunkenness, gambling, or conduct unbecoming an officer.

Of any illegal offense.

Of any conduct injurious to the public peace or welfare.

Of incapacity, mental or physical, or of any breach of the discipline of the force.

Sitting down without cause during his tour of patrol duty.

Not properly patrolling his beat during his tour of patrol.

Absence from his post during his tour of patrol duty when not necessary, or not in the due performance of duty.

Station-house keepers.

SEC. 860. The Station-house Keepers shall be appointed by the Board the time-keepers of the entire force, under the daily inspection and supervision of the Chief of Police, and shall give bond in the sum of five hundred dollars. The Captains will be required to keep the time accurately of each man of their squad, and report each day and date, time of duty performed, and all absentees, to the Chief of Police, who will have the Station-house Keeper to record the same. The Chief of Police shall, at each regular meeting of the Board, give, in writing, a statement of the monthly record kept by the Station-house Keepers. They shall keep a book, wherein they shall take receipts from the Chief of Police for all moneys paid by them to such Chief.

Station-house rules

SEC. 861. No person shall be allowed to remain in the station-house without express permission of the officer in charge, except members of the Department and persons on business; and no person, except the Mayor and General Council, and officers of the city, will be allowed to examine the books except by written permission from the Chief.

No liquor, etc.

SEC. 862. No liquor or intoxicating drinks shall be introduced into the station-house; no vulgar or profane language will be allowed at the station-house. The officers in charge failing to report these violations, will be subject to trial.

SEC. 863. When deemed necessary, detectives shall be considered and elected as other policemen, under the terms and provisions of the Charter, with such pay as may be affixed by ordinance. The services of detectives may at any time be dispensed with by the Board of Commissioners, or the City Council. ^{Detectives.}

SEC. 864. They shall be governed by the same rules as other officers and members of the force, on discipline and obedience to orders, as set forth especially in rules. ^{How governed.}

SEC. 865. The detectives shall be under the orders and instructions of the Board of Police Commissioners primarily, and under the Chief of Police at their option, whose orders will be obeyed in all respects, as other officers of the force, when so directed.* ^{Under orders of Board.}

SEC. 866. A proper room shall be provided for the detectives, to be kept closed against the admission of all persons, except the Police Commissioners, officers and members of the force, and officers of the law in the exercise of their duties, in which shall be properly filed all papers, dispatches, as well as photographs of murderers, thieves, etc. ^{Private room.}

SEC. 867. A book of records, complaints and applications, calling for the services or attention of the detectives, shall be kept in the detective office, under the supervision of the Chief of Police, or the officer in command. The Chief of Police shall have supervision of all detective business, in general or in detail, and he shall see that all proper detective cases are diligently and properly attended to and worked up. ^{Keep record.}

SEC. 868. The detectives and Captains shall report to the Chief of Police, or the officer in command of the force, all complaints and applications requiring the services of the detectives, and have a proper record made thereof. And the Chief of Police, or officer in command, shall have authority to assign one or more detectives to the investigation of all detective cases in the city; and the detectives ^{Application for detective.}

* But see Sections 883 and 885.

shall report their action in all cases assigned, from time to time, as often as required.

Applica-
tion by
non-
resident.

SEC. 869. Applications for detectives by persons other than citizens of Atlanta, must be made to the Chief of Police, and granted or refused by a majority of the Board of Police Commissioners. The detective will not be allowed to leave the city without the written permission of a majority of the board, and while in the city will be considered always on duty.

Arrests.

SEC. 870. A record of arrests of all persons imprisoned at the station-house shall be kept in the detective office, in which shall be entered the name of the person arrested, with a full description of such person, the time and cause of the arrest, and the disposition made of each prisoner arrested.

Daily
transac-
tions.

SEC. 871. A blotter shall be kept in the detective office, in which shall be entered daily all transactions of the detectives in detail; and daily morning reports shall be made to the Chief of Police, or officer in command, and the Chief shall, at each regular meeting of the Board of Police Commissioners, make a report to the board of all arrests made by the detectives, and of all persons held in custody, setting forth the time and cause of arrest in each case, and how and when each case was disposed of.

Pictures of
offenders.

SEC. 872. All likenesses of offenders shall be kept strictly concealed from all persons, except officials connected with the Police Department.

Photo-
graphs of
criminals.

SEC. 873. Photographs of notorious criminals and offenders against the law shall be taken and kept in the detective office.

Gaming
and lewd
houses.

SEC. 874. The detectives, under instructions from the Board of Commissioners, or Chief of Police, shall abate all gaming-houses, rooms and premises, and places kept or used for lewd or obscene purposes and amusements, in conformity to ordinances of the city.

Citizens'
request.

SEC. 875. The detectives shall perform all detective duty to the citizens of the city without fee or reward, and

they are required to respond promptly to the applications of poor and rich, and to render their utmost detective skill alike to both.

SEC. 876. All fees and awards paid detectives by other ^{Rewards.} persons than citizens shall be turned over to the Board of Police Commissioners, and the board is hereby authorized to pay one-half of said fees or rewards into the City Treasury, and the other to the detective or detectives who performed the detective services.

SEC. 877. It shall be the duty of the Chief of Police to ^{Streets, bridges, etc.} require the police force of the city to make daily reports of the condition of the different bridges in their respective beats in the city, and in case any of said bridges or walls are reported by the police in a dangerous condition, it shall then be the duty of the Chief of Police to notify the Mayor, whose duty it shall be then to notify the Street Committee, and if the extent is such as to require the expenditure of city funds other than ordinary repairs, it then shall be the ^{July 2, 1877.} duty of the Mayor or committee to call a special meeting of the General Council to consider the same.

SEC. 878. Hereafter any property which may be taken ^{Stolen property.} possession of by the police force from persons who have stolen the same, or otherwise, shall be disposed of in the following manner: All such property shall be taken to the station-house and safely kept for sixty days, and if after that time the same shall be unclaimed by persons making satisfactory proof of title, the Chief of Police shall advertise the same for sale for ten days by posting in three of the most public places in the city a written notice which shall fully specify the articles to be sold, and the time, when and place where each sale will take place.

SEC. 879. At such time and place the property shall be ^{Disposition of.} sold to the highest bidder for cash; such sales shall take place between 10 A. M. and 4 P. M. in front of the station-house: *Provided*, that any perishable property may be sold after such notice, or such disposition made of the same as the Mayor may direct. The Chief of Police shall keep a

complete record of when such property came into the possession of the police force, where found, or from whom taken, a description of the property, when the same is claimed, and by whom, or when advertised, and when and for what amount sold. All money arising from such sales shall be paid to the City Tax Collector, and by him to the Treasurer.

SEC. 880. It shall be the duty of the policemen to report to the Superintendent of the water-works any unnecessary leaks in the water-pipes, hydrants, or private sprinklers that they may notice in their rounds, and they shall have authority to enter any premises where any useless waste of water may appear, and notify the owner or tenant of the same, and if such waste is not stopped, a case shall be made before the Recorder against the person allowing such waste, and, on conviction, the offender shall be fined not exceeding ten dollars and costs, or imprisonment not exceeding thirty days.

SEC. 881. The Board of Police Commissioners may, in their discretion, appoint and swear in suitable persons as policemen, to discharge police duty for hotels, railroad companies, factories, or other buildings or institutions of said city; said persons so appointed shall have all the powers of the regular organized police force of said city, and shall be subject to removal at any time by the said board. Their salaries shall be paid by the parties in whose immediate service they are engaged, and not by the city.

SEC. 882. That no person shall be eligible to a position on the police force unless he shall have resided continuously in the city limits for twelve months next preceding his application, and an affidavit to this effect shall be filed with his application, accompanied by the Tax Collector's receipt or certificate that all taxes required of him have been paid for the year preceding the election.

SEC. 883. The police force of the City of Atlanta shall consist of one Chief, who shall be paid \$2,000.00, and three Captains, who shall be paid \$100.00 each per month; six

Oct. 1, 1877.

Leaks in
water pipes

April 15, '78

Special
policemen.

Sept. 14, '80.

Powers.

Salaries.

Previous
residence
of twelve
months by
applicants
for police
force.

May 2, 1887.

Police
force of
city—
officers and
datrolmen.

Sergeants at \$2.50 each per day; two Station-house Keepers at \$2.50 each per day; two Cemetery Guards at \$50.00 each per month; two Park Watchmen, so long as needed, at \$45.00 per month each, and as many patrolmen at \$2.00 per day as the appropriation will warrant. The Board of Police Commissioners are authorized to detail patrolmen for special detective work, and such patrolmen so detailed shall receive such pay *per diem* as the board may fix, not to exceed \$2.50 each per day, except the Chief Detective, whose pay shall not exceed a regular Captain's pay (\$100.00 per month), and he shall rank as Captain, and be Assistant Chief of Police.

Compensation.

Assistant Chief of Police.

SEC. 884. It shall be the duty of the officers and members of the police force to report daily all electric lights which they find not burning, or failing to give light, to the Chief of Police, whose duty it shall be to keep a record of such reported lights, and to furnish a statement thereof to each regular meeting of the Council.

Report defective lights.

Chief to report to Council.

Dec. 3, 1890.

SEC. 885. The office of "Sergeant of the Mounted Police" is hereby created, and it is further ordained that the Board of Commissioners of Police be authorized and empowered to elect or appoint such officer, at a compensation of \$2.25 *per diem*.

Sergeant of Mounted Police.

Sept. 26, '86.

SEC. 885. (a) Police detectives shall, upon entering upon their terms of office, swear to and subscribe the following oath before the Chairman of the Board of Police Commissioners, which shall be certified by the chairman of said board and filed and preserved by the secretary thereof, to-wit:

Oath of detectives and policemen.

April 8, '91.

"I, _____, do solemnly swear that during my continuance in office I will, to the best of my skill and ability, faithfully discharge all the duties required of me, and in all cases conform to the ordinances of the city and police regulations, and report all violations of the same and all violations of the criminal laws of the State which may come to my knowledge; and I do further swear that I will use my best efforts to detect and punish all criminals, to

April 6, '91.

recover all stolen property and have the same restored to its rightful owners through the Board of Police Commissioners, to whom I will deliver all such that comes into my control, and that I will not in any way lend myself to the persecution of the innocent nor help to extort money unjustly from any person."

SEC. 885. Policemen shall take this oath:

"I, _____, do solemnly swear that during my continuance in office I will, to the best of my skill and ability, faithfully discharge all the duties required of me, and in all cases conform to the ordinances of the city and police regulations, and report all violations of the same, and all violations of the criminal laws of the State, which may come to my knowledge, so help me God."

This oath to be taken, on entering the service, and subscribed before the Chairman of the Board of Police Commissioners, certified by him, and filed and preserved by the secretary.

Detective
agency
business
abolished.

April 8, '91.

How
licensed
hereafter.

Subject to
police
sup'rvision

Penalty.

SEC. 885.. (b) All licenses and permits of any kind heretofore issued to any person, firm or corporation to carry on the business of detective or detective agency in said city shall be and the same are hereby revoked after the expiration of the time for which license fees have been paid; and that from and after the expiration of such time in the case of each license or permit heretofore granted, no person, firm, company or corporation shall in said city carry on or be engaged in the business of a private detective or detective agency unless such person, firm or corporation has been first recommended for license or permit for such detective business or agency by the Board of Police Commissioners of said city; but in all cases in which such recommendation is made and certified by the Board of Police Commissioners to the Clerk of Council, a license or permit shall be thereupon issued for such business. When so licensed the licensee shall take the oath of a city detective, and be subject to police supervision. Any person, firm, company or corporation who shall be hereafter engaged in the business

of a detective or detective agency in said city, outside of the police force of said city, and without a license issued as hereinabove provided for, shall be punished by a fine not exceeding five hundred dollars, or imprisonment not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER XL.

LIQUOR TRAFFIC.

1. Wholesale Houses, 886-893.

SECTION.

- 886. Written applications.
- 887. Deposit required.
- 888. Penalty for retailing by evasion.
- 889. Not sell without license.

SECTION.

- 890. License revocable.
- 891. Keeping on hand for unlawful sale.
- 892. Close when saloons close.
- 893. Hours of opening and closing.

2. Retail Houses, 894-922.

SECTION.

- 894. Retail liquor limits.
- 895. No separate beer licenses in these limits.
- 896. Price of licenses.
- 897. Character of licensees.
- 898. No screens or blinds.
- 899. Place level with streets.
- 900. No gaming allowed.
- 901. Loitering prohibited.
- 902. Open and close when.
- 903. Close on days named.
- 904. Oath of applicant.
- 905. Not sell without license.
- 906. Sign to be posted.
- 907. Must admit officers.
- 908. Penalty.

SECTION.

- 909. Conviction revokes license.
- 910. Application, how made.
- 911. Mayor and Council may revoke.
- 912. Regulations as to transfers.
- 913. To whom license shall not issue.
- 914. Not keep on hand for unlawful sale.
- 915. Empty kegs on sidewalks.
- 916. Retail at Piedmont Park.
- 917. Forfeitures of beer licenses.
- 918. Forfeitures if place a nuisance.
- 919. Must keep minors out.
- 920. Punishment of minors.
- 921. Sign as to minors.
- 922. Alcohol—Druggists protected.

SECTION 886. All persons, firms, corporations or companies desiring to engage in the sale of spirituous or malt liquors at wholesale, in said city, shall make written application to the Mayor and General Council for such privilege, and the said Mayor and General Council may, in its discretion, grant or refuse such privilege, upon each application made: *Provided*, that no such privilege shall be granted to carry on such business at any place in said city, outside of the limits prescribed for the retail of ardent spirits.

Written
application
for license.

SEC. 887. Before any license shall issue as above set forth, the applicant shall pay to the City Clerk the sum of twenty-five dollars, and the Clerk's fee of fifty cents, and shall make and subscribe before said Clerk, on oath, that he will not, by himself, or others, sell any spirituous or malt liquors in any quantity less than one gallon, nor permit any so sold to be divided or drunk on the premises where sold; nor sell, nor permit the same to be sold, in any quantity to a minor, or a person already intoxicated; and shall also give bond with security, to be approved of by the Clerk, in the sum of two thousand dollars, conditioned faithfully to observe all State laws and city ordinances pertaining to the said business.

SEC. 888. Any person licensed as aforesaid who shall sell any spirituous or malt liquors other than at wholesale, or who shall by any devise by himself, or his agents, subdivide the same or permit the same or any part thereof, to be drunk on the premises, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or imprisoned not exceeding thirty days, or both, in the discretion of the court, and such conviction shall work an immediate revocation of his license.

SEC. 889. Any person, firm, corporation, or company, who shall sell or offer for sale at wholesale, any spirituous or malt liquors, without having first complied with all the provisions of this ordinance, shall, on conviction thereof, be punished by a fine not exceeding five hundred dollars, or imprisoned not exceeding thirty days, or both, in the discretion of the court.

SEC. 890. All license under this ordinance shall issue for one year, but may be revoked by the Mayor and General Council at any time upon refunding the applicant the *pro-rata* amount for the unused time, and no license is transferable except by consent of Mayor and General Council. Such license shall protect but one place, and that the place specified in the license.

SEC. 891. Any person, firm or corporation who shall keep for unlawful sale in any store, house, room, office, cellar, stand, booth, stall, or other place, or shall have contained for unlawful sale in any barrel, keg, can, demijohn or other package, any spirituous, fermented, or malt liquors for such sale, shall, on conviction, be punished by fine not exceeding five hundred dollars or imprisonment not exceeding thirty days, either or both, in the discretion of the court.

June 21, '86

Keeping on hand for unlawful sale.

SEC. 892. Wholesale liquor houses shall be required to close their doors on Christmas Day of every year; and at all other times when retail liquor dealers are required to close their places, except that on holidays, other than Sundays and Christmas days, wholesale dealers may ship goods to the trade outside of the city.

Dec. 24, '89.

Not keep open when saloons required to close.

SEC. 893. The hours for opening and closing wholesale liquor houses shall be the same as for saloons, to-wit: Open not earlier than 5 o'clock A. M. and close not later than 10 o'clock P. M.

Hours of opening and closing — 5 A. M. to 10 P. M.

SEC. 894. The Mayor and General Council may, in their discretion, grant or refuse license to sell, at retail, spirituous or malt liquors, on the business portion of the following streets, between the points named on each application made, to-wit:

On Whitehall street, from the railroad at Peachtree street to Peters street; on Peachtree street, from the railroad at Whitehall street to Luckie street; on Marietta street, from Peachtree street to Foundry street; on Decatur street, from Marietta street to Butler street; on Broad street, from Mitchell street to Luckie street; on Mitchell street, from Forsyth street to Whitehall street; on Hunter street, from Forsyth street to Pryor street; on Alabama street, from Forsyth street to Loyd street; on Pryor street, from Exchange Place to Hunter street; on Wall street, from Peachtree street to Loyd street; on Loyd street, from Decatur street to Alabama street; on Forsyth street, from

Retail liquor limits.

Alabama street to Walton street; on Peters street, from the Central railroad to Fair street.

No separate beer license in above limits.

Separate beer license, where and how issued

Penalty for holder of beer license who sells spirituous liquor or keeps it on hand.

Price of license to retail spirituous and malt liquors.

SEC. 895. Within the limits above provided, on the streets above named no separate license for the sale of lager beer or malt liquors shall be issued. Outside of the above limits on business portions of business streets within practicable and efficient police supervisions, and in localities where there is no reasonable objection thereto, licenses may be issued for the retail of lager beer and malt liquors only. Should any dealer licensed to sell lager beer and malt liquors only, by himself or agent, have, or keep on hand, or sell, furnish, or offer to sell, or furnish to any persons any spirituous liquors, his license shall thereupon and thereby be forfeited, and such person so offending shall, on conviction thereof, be fined not exceeding five hundred dollars and imprisoned thirty days. The sentence, on conviction, shall include imprisonment and shall not be less than thirty days, and in any such case neither the Mayor, or the Mayor and General Council shall have any power or authority to reduce or relieve the sentence by revision, pardon or otherwise; and such person shall not thereafter be entrusted with any license to sell either spirits or malt liquors. Any agent of any such licensed dealer in malt liquors who shall violate the foregoing provisions shall be subject to the penalties and disqualifications herein above provided. All licenses for the retail of lager beer and malt liquors shall issue subject to the right and purpose of the city by its police officers and policemen, and special agents and inspectors at any and all times to inspect the conduct of the business of any such licensed dealer and agents, as also the character of the stock kept by any such dealer.

SEC. 896. The price of each license to retail spirituous or spirituous and malt liquors shall be at the rate of one thousand dollars per annum*, and the Clerk fee of fifty cents, which in each case may be paid quarterly in advance.

* By recent action licenses will not be issued in 1891 to run longer than the close of this year.

The price of each license to retail lager beer and malt liquors only shall be at the rate of one hundred dollars per annum, and Clerk's fee of fifty cents, payable quarterly in advance.*

SEC. 897. No license to retail, as aforesaid, shall issue to any person other than of good character, sobriety and discretion, and regard to this shall be had on, and as to, each application made.

License
issued
to whom.

SEC. 898. No place for which a license to retail as aforesaid shall issue, shall have any screen, blinds or painted glass or other obstruction of the view through the doors and windows thereof. License shall not issue for any place which does not front on, or have the main entrance thereto, directly from a public street, but this requirement shall not apply to hotels where the bar is so situated as to be open to the view generally of persons stopping at said hotels.

No screens,
blinds or
obstruc-
tions to
view, etc.

SEC. 899. No license shall issue for any place not substantially on a level with a public street, except that the Mayor and General Council may, in their discretion, grant or refuse license to retail in basements sufficiently open to view.

Place must
be substan-
tially level
with street.

As to base-
ments.

SEC. 900. No gaming table, gaming device or apparatus, shall be kept or used at any place for which license is granted, nor shall any game by cards, ten-pins, or music, or otherwise, be played at any such place for amusement, exercise, or for any thing of value, nor shall any pools be sold, provided the keeping of billiard and pool tables and playing thereon for exercise or amusement only, shall not be prohibited in hotels when the same are in a different room from the bar.

No gaming
or gaming
tables
allowed at
any place
licensed.

Oct. 8, 1889.

SEC. 901. No person to whom a license is issued shall permit drunken or disorderly persons to assemble or loiter therein.

No loitering
of drunken
or disorderly
persons in.

SEC. 902. No place for which a license is granted shall be kept open later than 10 o'clock P. M., or opened earlier than 5 o'clock A. M.

Hours of
opening
and closing

* \$250 per annum by Tax Ordinance of 1891.

Close on
certain
days.

Also close
on all
election
days under
State law.

Dec. 17, '88.

SEC. 903. No person licensed to sell spirituous or malt liquors in said city, shall keep open his place or sell or furnish liquors on the Sabbath, Fourth of July, or Christmas day, or on occasions when, in the judgment of the Mayor and Police Commissioners, the conserving of the peace and order of the city requires closing, and they first notify such dealer to close.

Oath of
applicants
for retail
liquor
license.

Mar. 4, 1889

SEC. 904. All persons to whom licenses shall issue shall take the oaths required by law, and any person hereafter applying for the granting of retail liquor or beer license, or the removal or transfer of such license, shall be required, in connection with such application, to take, subscribe, and file an affidavit stating that the applicant has not been convicted of violating the State laws regulating the liquor traffic, or the city ordinances which provides for granting of retail liquor and beer licenses and prescribes for the conduct of licensed saloons, and further stating that no indictment or accusation is pending against him in the State court, or any Recorder's Court, charging such violation.

Penalty.

That any person falsely swearing to the affidavit required by the preceding section, shall be prosecuted by the Chief of Police in the Superior Court of Fulton county.

No selling
without
license.

SEC. 905. No person shall, in said city, retail or sell in quantities less than one quart, any spirituous or malt liquors without having obtained license therefor, paid the required price, given the bond and taken the oath provided by law and ordinance.

Sign of
retailer.

SEC. 906. Licensed retailers (hotels excepted) shall, within five days after obtaining license, affix a sign board near to, or over his door, on which shall be printed in plain words, "Licensed retailer of spirituous liquors."

Officers
to be
admitted.

SEC. 907. It shall be the duty of each and every licensed retailer of spirituous liquors to admit the Mayor or any member of the General Council, Police Commissioner, or any police officer or policeman, into his or her premises at any time when such permission may be demanded.

SEC. 908. Any person violating any of the foregoing provisions of this ordinance shall, for each offense on conviction thereof, be fined not exceeding five hundred dollars, or imprisonment thirty days, either or both, in the discretion of the court. Penalty.

SEC. 909. The conviction in a State court of any person licensed to retail spirituous or malt liquors for the violation of the State Statutes in relation to the sales of ardent spirits to a minor or person already intoxicated; or the conviction of a retailer before the Recorder's court for the violation of any of the provisions of this ordinance, shall work an immediate revocation of the license of such person, and for any further exercise of the privilege granted by such license, he shall be punished as one retailing without license.* Conviction works forfeiture of licenses.

SEC. 910. Each person applying for license to retail as aforesaid shall, at the time of application, deposit with the Clerk a written description of the place where he desires to carry on the business, and a certificate of two, one of whom must be an adjoining neighbor, or more of his sober, respectable, near neighbors, not interested in the application, recommending the applicant as fit to be trusted with such license; and shall also present the written consent of the owner or agent of the premises in which he desires to carry on the business. The applicant shall also tender a bond, with good security, in the sum of one thousand dollars for the keeping of a decent and orderly house, and for compliance with all laws of the State of Georgia and said city relating to the liquor traffic and the regulation thereof. In case of any and each breach of the condition of said bond the amount thereof shall be liquidated damages and recoverable in action in favor of said city for the same. In case the Mayor and General Council shall direct suit, and by resolution, or vote, declare a breach of any bond to have occurred, said body may also declare the license of the party forfeited and revoked. Each bond tendered shall have at least two names as securities thereon, and no person shall be security on more than one bond at the same time. The Application for license, how made.

* This Section upheld in case *Sprayberry v. Atlanta* by Supreme Court. Bond to be given.

securities shall also justify as to their solvency to the amount of bond over and above debts and liabilities, and homestead and exemption laws. When the application is made and bond tendered, as above provided, the same shall be referred to the committee and police, who shall personally examine the location and surroundings of the place for which license is applied, notify, or have notified, adjacent tenants or owners, or agents of owners, and also the owner, tenant, or agent of the owner of the place, or building, for which license is applied, as may be practicable, of the pending of such application and report thereon, at the next regular meeting of Mayor and General Council, or as early thereafter as practicable.

License
revoked
for viola-
tion of law.

SEC. 911. The price of license to retail, the time they may last, and the amount of bond, may be fixed or changed at any time, provided no vested rights are impaired by such change; otherwise all such license shall expire on June 30th,* following the date of same, but may be revoked at any time by the Mayor and General Council for the violation of any of the provisions of this ordinance, any other ordinances of the city, or laws of the State, relating to the retail liquor traffic and regulation of the same.

License—
Regula-
tions as to
transfer.

SEC. 912. No license is transferrable, except by consent of the Mayor and General Council, as regard shall be had to the person to be entrusted with such license. No license shall protect more than once place, and that the place described therein, and no liquors shall be retailable in the streets of said city.

To whom
license
shall not
issue.

SEC. 913. No license to retail shall issue to any person who shall hereafter sell liquors by the gallon in said city under wholesale license, where the purpose of such person shall be to supply other than licensed dealers with liquors, and where the amount and extent of the stock kept by such persons are less than requisite for the carrying on, in good faith, the wholesale trade. Nor shall retail license issue to

* By recent action of the Mayor and General Council no licenses to retail will be granted this year to run beyond December 31, 1891.

any person who shall hereafter, in said city, sell liquors by the gallon with the knowledge that persons acting together in purchasing the same will immediately divide, or have the dealer selling the same divide it for immediate consumption or carrying away.

SEC. 914. Any person who shall keep on hand for unlawful sale by the quart (not having license from the Commissioner of Roads and Revenues of Fulton county) any liquors kept ostensibly for sale at wholesale by the gallon, or shall permit the division of the same by purchasers, or others in his presence, or shall retail the same, shall be debarred of a wholesale or retail license hereafter, and in addition, shall, on conviction of either offense named in this and the preceding section, be fined not exceeding five hundred dollars, or imprisoned thirty days, either or both, in the discretion of the court.

SEC. 915. It shall be unlawful for empty beer kegs to remain on the sidewalks or streets of Atlanta longer than twenty-four hours after being placed there; that all Breweries or their agents, doing business in said city, be required to make daily collections of empty kegs, and any Brewery or agent violating the provisions of this ordinance shall, upon conviction before the Recorder, be fined not less than five dollars and costs for each offense.

SEC. 916. On compliance with all laws and ordinances of the city with reference to obtaining license to retail liquor, and the deposit of ten dollars per day, and Clerk's fee for the time applied for, accompanied by the written consent of the authorities of the Gentlemen's Driving Club, or the Piedmont Exposition Company, the Clerk of Council is authorized to issue license to retail malt and spirituous liquors on the grounds of the Piedmont Exposition Company, or Gentlemen's Driving Club; *provided*, that the hours of closing shall be ten o'clock P. M., and of opening seven o'clock A. M., and the person or persons receiving such license shall be subject to all laws and ordinances regulating the retail liquor traffic. Such license shall be sub-

Not keep
liquors
on hand
for unlaw-
ful sale.

Dec. 13, '87.

Empty
beer kegs
on side-
walks.

Regula-
tions as to.

Nov. 19, '88.

Retail
liquor
license at
Piedmont
Park.

April 16, '88

ject to forfeiture at any time on the request of either the Piedmont Exposition Company, or Gentlemen's Driving Club, or authorities thereof, and licenses are also taken subject to this provision for forfeiture.

Provisions
applicable
to license
for retail
of beer.

SEC. 917. All the provisions of the ordinance aforesaid, of the retail liquor ordinance, relating to application, bond, license, regulation, selling without license, penalties, forfeiture of license, etc., etc., in case of retail of spirituous, or malt and spirituous liquors, shall apply to the retail of lager beer and malt liquors, except as otherwise herein provided.

Forfeiture
of license.

SEC. 918. The Mayor and General Council shall forfeit the license of any retailer of either spirituous or lager beer, or malt liquors, whose place becomes a nuisance or of ill repute, by disorder thereat, or otherwise.

Minors not
allowed in
retail
liquor
places.

Mar. 4, 1889

SEC. 919. It shall be unlawful for any minor to go into any place where spirituous or malt liquors are kept for retail, unless by written consent of parent or guardian, and any minor violating the provisions of this ordinance shall, on conviction before the Recorder, pay a fine of not less than five dollars, or work on the public works not less than five days.

Punish-
ment of
minors.

SEC. 920. Any person under twenty-one years of age who shall, under false representation as to age, buy or allow to be bought for him, other than by parent or guardian, any liquors, malt or spirituous, in any retail saloon of this city, shall, upon conviction before the Recorder, pay a fine of not less than twenty-five dollars, or serve not less than twenty-five days on the public works.

Sign as to
minors.

SEC. 921. All places licensed to retail spirituous or malt liquors shall have posted in conspicuous places about their place of business, "No minors allowed in here," and the same shall be considered sufficient notice.

Sale of
alcohol.

June 6, 1887

SEC. 922. When any person applies to any druggist or other lawful dealer for the purchase of alcohol, and shall state that it is bought for mechanical, medicinal or chem-

ical purposes, the statement or assurance of said purchaser as to the use intended, shall be a complete protection for such druggist or other lawful dealers in alcohol, from any prosecution under any city ordinance.

CHAPTER XLI.

POWDER.

SECTION.

923. Quantity to be kept.

924. License to sell.

925. License—how obtained.

SECTION.

926. Council may refuse.

927. Signs.

SECTION 923. No merchant, or other person, shall, within the City of Atlanta, keep in any house, or over night, except in a public warehouse, more than one keg of powder at a time, which shall be kept in a tin can; and for a violation of this ordinance, the offender may be fined not exceeding one hundred dollars and costs, or imprisonment in the station-house or common jail of Fulton county, not exceeding thirty days.

Powder—
one keg
only to
be kept.

Penalty.

SEC. 924. It shall not be lawful for any person or persons to sell gun-powder without first having procured a license from the Clerk of Council, who shall receive a fee of fifty cents for each and every license granted for the term of one year; and any person or persons selling without first having obtained such license, shall, on conviction before the Recorder, Mayor, Mayor *pro tem.*, or three members of Council, pay a fine of one hundred dollars and costs of trial, for each and every day the party so convicted shall have violated this ordinance, or be imprisoned not more than thirty days in the station-house, or common jail of Fulton county.

License to
sell gun-
powder.

Penalty.

SEC. 925. When any person who desires to sell powder as a part of his or their business, all such persons shall first petition the General Council for a license, and accompany such petition with the names of three of his or their neighbors,

Mode of
procedure
to obtain
license.

Bond. where powder is to be sold, signifying their willingness; and such applicant shall give bond and security in the sum of one thousand dollars, that he will not violate any ordinance relating to the sale of powder in Atlanta.

Council may refuse. SEC. 926. When application is made in writing, to Council, it shall be competent for the board to grant or refuse license, if, in their opinion, the applicant or bondsman is not responsible, or in any way disqualified for such trade or traffic in gun-powder.

Sign. SEC. 927. All persons licensed to sell powder shall be required to place a sign over their place of business as follows: "Licensed to sell powder," and shall keep their powder in a long necked tin can. Any one violating this provision shall be fined, on conviction, not exceeding one hundred dollars, or imprisoned not exceeding thirty days.

Penalty.

CHAPTER XLII.

PUBLIC SCHOOLS.

SECTION.

- 928-931. Increase of number of members in Board of Education, their terms, etc.
- 932. Schools controlled by Board of Education.
- 933. Powers of board.
- 934. Plan of instruction.
- 935. Committee.
- 936. Treasurer.

SECTION.

- 937. Oath and bond of Treasurer.
- 938. Vacancies—how filled.
- 939. Disbursements.
- 940. Deposits and compensation.
- 941. Taxation—Estimates, etc.
- 942. Appropriation for schools.
- 943. Semi-annual reports.
- 944. Mayor—a member of board.
- 945. Moneys reported to Comptroller.

Board of
Education
—Members
of incre'sd.

SECTION 928. WHEREAS, Since the establishment of the Board of Education with twelve members thereof, and the Mayor, who is *ex-officio* a member, the population of the city has greatly increased, and the public interest in the matter of education demands a larger representation of the people thereon, and a more equal representation by wards and territory; therefore,

SEC. 929. *Be it ordained by the Mayor and General Council of the City of Atlanta,* That the ordinances creating said Board of Education, and fixing the number of mem-

bers of the same, be, and the same are hereby amended by providing hereby that said board shall consist of eighteen members, besides the Mayor, who shall be as heretofore, *ex-officio* a member.

SEC. 930. Six members of said board shall be elected at this meeting, to serve as follows: Two members, until December, 1893; two members until December, 1891, and two members until December, 1889. Neither of the six members to be chosen under this ordinance shall be elected from a ward in which as many as three members of said board reside. On the expiration of the term of any member of said board, his successor shall not be elected from a ward having as many as three other members of said board residing therein, so as to hereby provide that from and after the election of the successors of those members whose terms expire in December, 1889, each ward shall have three members on said board. On the expiration of the terms of the six members provided for by this ordinance, their successors shall be elected for six years, as is provided in case of the members of said board now serving as such.

SEC. 931. *Be it ordained by the Mayor and General Council*, That the Board of Education, at the regular election in December next, be increased by the election of three members from the city at large, one for six years, one for four years, and one for two years.

SEC. 932. The Board of Education shall have control of the whole subject of Public Schools in the city, and shall have full and ample power to provide the requisite buildings, and open and conduct a sufficient number of schools to meet the wants of the population, so far as they can do so by a prudent and judicious application of the means made subject to their administration and management.

SEC. 933. Among the powers hereby conferred, the following are for greater certainty specially enumerated: To contract, lease, or purchase buildings for school-houses, and to make all needed alterations and repairs; to furnish said house with appropriate school furniture and apparatus; to

Members
first elect'd
under this
ordinance.

Terms, etc.

Jan. 2, 1888.

Three
members
added from
city at large

Nov. 4, 1889

Board of
Education.

Powers.

School
districts,
superin-
tendent
and
teachers.

lay off the city into additional school districts whenever in the judgment of the board it shall be proper to do so, and to increase or diminish the number of districts, or vary their boundaries at pleasure; to employ the Superintendent and all teachers, fix their compensation and prescribe their duties; to control the distribution of teachers and pupils among the several schools; to dictate the course of studies, the organization of classes, the number and character of text books, the method of teaching, the time and mode of examination, and the distribution of rewards, honors and diplomas, and to make and insure the enforcement of a complete system of rules and regulations for the government and efficiency of the schools as respects both teachers and pupils; also, to take measures for the gradual formation of a school library, and for managing and rendering the same useful.

Plan of
instruction

SEC. 934. The plan of instruction and the system of rules and regulations, when once adopted, shall be adhered to, unless modified from time to time by a concurrent vote of two-thirds of the board.

Committee

SEC. 935. Any of the ordinary powers of the board may be performed by appropriate committees, when so directed by standing rules, or be special orders or regulations of the board.

Treasurer.

SEC. 936. On the fourth Thursday in November, annually, the said board shall appoint a Treasurer of the Board of Education, who shall receive and pay out all money (from whatever source derived) set apart for the establishment and support of public schools in Atlanta.

Oath and
bond.

SEC. 937. Before entering upon his duties, the Treasurer shall give bond to the Mayor and General Council, in such sum as the Mayor and General Council may require, with security, to be approved by them; and shall also take and subscribe an oath to perform his duties faithfully. Said bond and oath, after being recorded on the minutes of the board, shall be filed with the Clerk of Council.

SEC. 938. All vacancies in the office of Treasurer shall be filled by the board as soon as practicable, after they occur, and the Treasurer shall, at all times, be subject to removal by the board, and shall, when ordered by said board, deliver up to his successor all moneys, books, papers and property in his custody, belonging to the public schools. vacancies.

SEC. 939. The money which comes into the hands of the said Treasurer shall be subject to be managed, administered and expended by said board. It shall be paid out only on the checks or drafts of said board, signed by the President and countersigned by the Secretary; and the Treasurer shall keep a book of receipts and payments, and transmit quarterly, on the first Fridays in January, April, July and December, a full and complete transcript therefrom, to the Mayor and General Council, and another to the Board of Education. Said Treasurer shall give bond in the sum of ten thousand dollars, conditioned for the faithful discharge of his duties and properly accounting for all moneys coming into his hands as such Treasurer during his continuance in office. Disbursements.

SEC. 940. Whenever directed by a resolution of the board, the Treasurer shall keep the funds on hand deposited in some bank in the city, (specified in the resolution), and if any profits can be realized from such deposits, they shall be added to the fund producing them, and be expended as part thereof. All deposits, and the terms thereof, shall be reported with the quarterly transcript from the Treasurer's books—said books and the moneys, bonds, certificates of deposits, and other assets on hand, shall at all times be subject to inspection by the Finance Committee of the Board and Council. The compensation of the Treasurer shall be two hundred and fifty dollars per annum. Deposits.

SEC. 941. Money to pay the current expenses of said schools shall be raised annually by taxation as follows: Taxation.
On the first Monday in May of each year, the Board of

Education shall file with the Mayor and Council a statement of the amount, as nearly as can be estimated, which will be needed to pay the cost of maintaining the schools for the succeeding scholastic year, beginning September the first, exclusive of money, if any derivable, from the State or other sources. Said statements shall set forth the various objects of expenditure, and specify the sum necessary, as estimated, for each. It shall be authenticated by the official signature of the President of the Board.

Taxation
and appro-
priation.

SEC. 942. In fixing the rate of taxation for the year, the Mayor and General Council shall consider such estimate of the Board of Education, and in making appropriations for the various departments of the city government, shall set apart and appropriate such amount to the public schools as in their judgment may be just and proper, having in view the wants of the schools, and the financial condition and ability of the city.

Reports.

SEC. 943. In addition to the reports already provided for, the board shall, within twenty days after the close of each scholastic term, make a semi-annual report to the Mayor and General Council of all the financial transactions, and of the general progress and condition of the schools, supplying full statistical information as to teachers, pupils, schools, houses, furniture and other property.

For
ex-officio
a member
of Board.

SEC. 944. The Mayor of the city shall be *ex-officio* a member of said Board of Education, and as the terms of the present members of said board expire their successors shall be elected by the Mayor and General Council. Vacancies in the board shall be filled by the Mayor and General Council.

Moneys
reported to
Comptroller.

SEC. 945. The President of the Board of Education shall report to the Comptroller all money coming into that department from tuition, donation, bequest, or from State, county, or otherwise, and the amount so reported shall be charged for collection to the Treasurer of the Board of Education, who shall receive credit upon exhibition of

receipt of deposit of same with the City Treasurer, with whom he shall deposit daily, and report to the Comptroller daily and monthly.

CHAPTER XLIII.

MARKET HOUSE COMMISSION.

SECTION.

946. The commission.
947. Authority.

SECTION.

948. Suggest to Council suitable ordinances.

SECTION 946. That the establishment and government of a system of market houses be referred to a commission of six persons; one from each ward; the first two to be elected for six years, the next two for four years, and the last two for two years; the election thereafter to be for terms of six years. Market house commission—Election and terms of the commissioners. Aug. 20, '88.

SEC. 947. That said commissioners shall have authority to rent or lease suitable market houses, the financial part of such transactions to be ratified by the General Council before it becomes final. Authority.

SEC. 948. That said commission shall suggest to the General Council suitable ordinances for the government of the market houses of Atlanta, and shall have authority, in addition thereto, to make such rules for its own government as are not in conflict with the ordinances of the city. Commission to suggest to Council suitable ordinances

CHAPTER XLIV.

RECORDER'S COURT CONVICTS.

SECTION 949. Record must be kept.

| SECTION 950. Regulations.

SECTION 949. The officer in charge of the chain-gang is required to keep a book with the name of each convict turned over to him from the Recorder's Court, the time for Overseer must keep record, etc

which each convict is sentenced, when received and when discharged; also, the number of days worked. And that said overseer shall make a monthly report to the Mayor and General Council, showing the facts above required to be kept of record.

Regulation SEC. 950. The Clerk at the station-house shall keep, in a book for that purpose, a record of all persons who fail to pay fines, and have to work out the same. The said Clerk shall take a receipt from the officer or person placed in charge of convicts of the Recorder's Court, and shall furnish such person with the number of days each convict is required to work. Persons becoming able to pay the fine imposed after having worked one or more days, shall have their fine reduced according to the number of days' work done.*

CHAPTER XLV.

REGISTRATION OF BUSINESS.

SECTION.

- 951. Registration annually.
- 952. Mayor to countersign licenses.
- 953. Penalty for failure to register.
- 954. Commission merchants only to handle consignments.

SECTION.

- 955. Fruit and melon dealers.
- 956. Notice given before execution.
- 957-8. Tax defaulters—digest, etc.

Persons doing business must register annually, and procure license.

SECTION 951. Every person, firm, corporation or company engaged in prosecuting or carrying on any trade, business or profession, within the incorporate limits of said city, is hereby required to register their names, business, calling, trade or profession, annually, at such times as the Mayor and General Council may, by resolution, from time to time direct; and persons coming into the city, and so engaging in business, after that date in each year, shall so register, within ten days after commencing such business, calling, trade or profession, and pay for and procure a business license.

*Duty of Chief of Police to report, as to work of convicts, to Comptroller.

SEC. 952. No license issued by the Clerk of Council to any person, firm or corporation, shall be valid or sufficient until the same shall be countersigned by the Mayor of the city, and registered by him in a book to be kept for that purpose : *Provided*, that nothing herein contained shall invalidate any license heretofore granted, until the time for which the same has been issued expires.*

Mayor to
counter-
sign
license.

SEC. 953. Any person liable to be so licensed, who shall fail to take out such license, after the Clerk has given fifteen days' notice of his readiness to issue license, may, on conviction, be fined in a sum not exceeding fifty dollars and costs.

Penalty

SEC. 954. No person or persons, firm or corporation, doing business in this city, shall sell or offer for sale any goods, wares, merchandise, fruits or produce consigned to them, upon commission or otherwise, or whether they derive the usual benefits of consignees therefrom, unless said goods, wares, fruits or produce come within the scope of the lines of goods that they are licensed by law to deal in, or unless they have a general commission merchant's registration license, when, in either instance, they must pay tax on commission sales, as required by Tax Ordinance.

Consign-
ments
prohibited
except to
commis-
sion
merchants
licensed
as such.

SEC. 955. Any person or firm wishing to do a commission business hereafter in this city in such lines as produce, fruits, melons, etc., shall be compelled to take out a registration license for a term of not less than one year, and that the Clerk is hereby restrained from issuing a license, for those specific lines, for a less space of time, and such persons and firms must also comply with section of Tax Ordinance regulating such sales. Any violation of either of these sections shall subject the offender, upon conviction before the Recorder, to a fine of not exceeding one hundred dollars, or imprisonment not exceeding thirty days.

Fruit and
melon
dealers.

July 20, '85.

SEC. 956. *The Mayor and General Council ordain*, That no license *fi. fa.* shall issue, nor cost thereon accrue, until five days after the mailing of notice, under cover, to the

Fi. fas. for
business
tax issue—
When.

* Countersigned must be by Comptroller also.

person in default, stating the amount due for such license, and if not paid within five (5) days from the date of such notice, a *fi. fa.* therefor, and for the costs thereon, will issue.

An Ordinance regulating the return and collection of Taxes from defaulters.

Tax defaulters.

SECTION 957. *Be it ordained by the Mayor and General Council*, That from and after the passage of this ordinance, it shall be the duty of the Marshal, before settling with them, to require all defaulting tax-payers whose names are not on tax books to go to the office of the City Tax Receiver and Collector and take the oath, and make the returns required by law, and the Tax Receiver and Collector shall keep a digest, to be known as "The Defaulter's Digest," in which all such names, and the amounts returned by them, shall be recorded, and any defaulter, failing to comply with this ordinance when thus required by the Marshal, shall be subject to a fine of not exceeding fifty dollars, or imprisonment not exceeding twenty days, upon conviction in the Recorder's Court.

Mar. 18, '89.

SEC. 958. The Marshal is prohibited from settling with any defaulter before a *fi. fa.* is issued by the Clerk.

CHAPTER XLVI.

REGISTRATION OF VOTERS.

SECTION.

- 959. Registration required.
- 960. Tax collector made registrar.
- 961. Lists close November 25th.
- 962. Register all who are qualified.
- 963. Voter's oath.

SECTION.

- 964. Removals.
- 965. Hours of registration.
- 966. Consolidated lists.
- 967. Not vote unless registered.

Registration necessary to vote.

SECTION. 959. No person shall be allowed to vote at any municipal election in the City of Atlanta, who shall not have qualified and caused himself to be registered as a voter in the manner hereinafter prescribed.

SEC. 960. It shall be the duty of the Tax Collector or his assistant to register the qualified voters of said city as they pay their city taxes annually. For this purpose, he shall have prepared printed blanks, containing the oath required of voters proposing to register, in the form prescribed in this ordinance; and it shall be his duty to administer to such tax payer wishing to register the required oath; and the voter shall subscribe to said oath in the presence of such collector or his assistant, who shall preserve all of said affidavits, and from them shall compile a book for each ward, showing the names and residences of the qualified voters for each ward, giving streets and numbers, or if no number, then giving the streets on each side. If on an alley, giving streets on each side, or nearest numbers on street in front.

Tax Collector to register voters.

To be sworn on printed blanks.

Oaths to be preserved and books made from them.

Names and places of residence shown on lists.

SEC. 961. Only the names of those taking such affidavit by the 25th day of November in each year, shall be placed on the registration books as aforesaid.

Lists close Nov. 25th.

SEC. 962. The Collector, or his assistant, shall also register qualified voters taking the prescribed oath, even if they do not pay or offer to pay the taxes of the current year, and place their names on the books of their respective wards, as provided for in the preceding sections.

Register all who are qualified.

SEC. 963. The oath to be required of voters registering their names shall be in the form following, to-wit:

Oath to be required of voters.

GEORGIA, FULTON COUNTY, CITY OF ATLANTA.

I, ———, do solemnly swear that I am a citizen of the United States, that I am twenty-one years of age, that by the first Wednesday in December next I will have resided in the State of Georgia one year, and in Fulton county six months next preceding the date aforesaid; that I am a resident of the City of Atlanta, and that I have paid all legal taxes which have been required of me, and which I have had an opportunity of paying, agreeably to law,

since the 21st day of December, 1877, except taxes for the present year; so help me God.

Sworn to and subscribed before me this _____
day of _____, 189—.
(Sign here) _____

Tax Collector or Registrar.

No. _____, Street _____ Ward _____.

SEC. 964. In case of the removal of a voter from one
Removals. ward to another, between the time of registration and the time for voting, it shall be the duty of the Collector, or his assistant, to change the name of such voter from the book of the ward of his former residence to the book for the ward into which he has removed, at his request.

Duty of
Clerk of
Council. SEC. 965. The books for registration of voters shall be kept open during office hours of the Tax Collector: *Provided*, that the books for registration shall not be kept open on Sunday, and shall not be closed earlier than 9 o'clock p. m. on the last six days and shall not be closed more than five days before any election in which registration is required.

Consoli-
dated lists. SEC. 966. It shall be the duty of the registrars of voters for the city to consolidate the names of the voters for each ward in books furnished by the City Clerk, and then count the numbers of registered voters and certify the same for each ward to the Mayor and General Council the first meeting after the close of each registration, and it shall be entered on the minutes of the Council.
Oct. 10, 1890

Election
to fill
vacancy. SEC. 967. No person shall be allowed to vote in any election to fill a vacancy, or for other purposes, unless his name appears properly registered, qualifying him to vote at the last regular municipal election, or unless he shall have registered before such election to fill vacancy.
May 1, 1882.

CHAPTER XLVII.

SALARIES.

SECTION 968. The salaries of the Mayor, Aldermen and Councilmen, for each succeeding year, shall be fixed by the Mayor and General Council at the first regular meeting in October each year, before their election, and the same shall not be changed during their term.

Of Mayor,
Aldermen
and Coun-
cilmen—
when fixed

SEC. 969. The salaries of officers shall be as follows for the next term of each of such officers, to-wit:

For Mayor, per annum, twenty-five hundred dollars.
For Aldermen and Councilmen, each, two hundred dollars.
For Police Commissioners, Chairman of Board, two hundred dollars, Secretary of Board, one hundred and fifty dollars; other members each, one hundred dollars. Building Inspectors, one hundred dollars. Water Commissioners, one hundred dollars. Board of Health: Chairman, two hundred dollars; Secretary, five hundred dollars; other members each, one hundred dollars. Tax Collector, per annum, twenty-four hundred dollars; Tax Assessors and Receivers, fifteen hundred dollars; City Treasurer, one thousand dollars; City Engineer, twenty-four hundred dollars; City Attorney, three thousand dollars; Assistant City Attorney, twenty-four hundred dollars; Recorder and Auditor, twenty-four hundred dollars; Commissioner of Public Works, eighteen hundred dollars; Clerk of same, one thousand dollars; Electrician, twelve hundred dollars; Sexton Oakland Cemetery, nine hundred dollars; Comptroller, three thousand dollars; City Warden, nine hundred dollars; City Physician, 1st Ward, four hundred dollars; 2nd Ward, including station-house, five hundred dollars; 3rd Ward, including stockade, five hundred dollars; 4th Ward, four hundred dollars; 5th Ward, five hundred dollars; 6th Ward, three hundred dollars.

Salaries
of officers.

Oct. 10, 1890

CHAPTER XLVIII.

SEWERS, PERMITS, ETC.

SECTION.

- 970. Authority to construct sewers.
- 971. Damages to private property.
- 972. Tapping and connections regulated.
- 973. Connections in discretion of Council.
- 974. Must be kept in order by occupants of premises.
- 975. Putting down sewer or gas pipes.
- 976. Excavating in streets regulated.
- 977. How refilled and replacing of improvements.
- 978. Penalty for work without permit, etc.
- 979. Record of permits kept by engineer.
- 980. Duties of police in this matter.
- 981. Sec. 975 continued in force.
- 982. Earth replaced must be puddled and packed.
- 983. Mains and pipes $3\frac{1}{2}$ feet below surface.
- 984. System of sewers provided for.
- 985. Authorized by Act of November 18th, 1889.

SECTION.

- 986. Assesses 90c lineal foot on abutting property.
- 987. Material, etc., in discretion of Council.
- 988. Cost above assessment paid out of appropriation.
- 989. Time and manner of connections controlled.
- 990. Damages to private property—how ascertained.
- 991. Assessors provided for.
- 992. Deduction in case of corner lots when both fronts are laid.
- 993. Assessment a lien upon property.
- 994. Notice given before laying sewer.
- 995. All sewers to be constructed under this ordinance.
- 996. Repealing clause.
- 997 and 998. Old culverts abandoned—new sewers used.
- 999. Penalty for refusal.
- 1000. Connections—when and how made.

Authority
of the
Mayor and
Council to
construct
sewers.

SECTION 970. The Mayor and General Council shall have full power and authority to lay down sewers and drains in said city, and assess the amount of the cost of laying and constructing the same upon the real estate abutting on streets through and along which sewers and drains may be placed and constructed, and upon any real estate through or upon which the same may be constructed or placed. All work of laying down or constructing sewers and drains shall be done under the direction and supervision of the Commissioners of Streets and Sewers. The City Engineer shall furnish to said board information and advice as to the necessities of any particular locality for sewerage, the kind of sewerage that may be desirable, with estimates of the cost of the same, and shall furnish plans and profiles and such other like work as may be necessary and proper. Amounts of assessments on real estate for constructing

sewers may be collected by execution, levy and sale as in street assessments.

SEC. 971. The Mayor and General Council are hereby authorized to construct and lay down sewers through property in said city: *Provided*, that before doing so, any damage done to private property thereby shall be ascertained and paid. In order to ascertain the amount thereof, assessors shall be appointed, who shall act and report as in cases of opening streets in said city, and from whose award either party may appeal to the Superior Court of Fulton county within four days.

SEC. 972. It shall not be lawful for any person to tap or make connection with any sewer in the City of Atlanta, for any purpose whatsoever, except by permission of the Mayor and General Council, and upon complying with the following terms and conditions: Whenever a connection is made with any such sewer it must be done under the direction and supervision of the City Engineer; and the person or persons at whose instance the connection may be made, shall be liable for any damage resulting therefrom, and shall replace the street and sidewalk along and through which such connection is made, in as good condition as it was before the work was commenced, and shall pay to the city such an amount in proportion to the whole cost of the sewer to which he connects, as the frontage of the lot bears to the double length of such city sewer.

SEC. 973. Permission to connect with such sewer or sewers may, in the discretion of the Mayor and General Council, be confined to such character, and kind of water and other deposits, as in their judgment is necessary and proper, considering the locality and size of the sewer. The application must set forth fully the size and character of the sewer which is to be put down, the point or points at which connections are to be made with the city sewer, and the purpose for which the sewer is to be used.

Damage to
private
property.

Tapping
and
connecting
with
sewers.

Aug. 6, 1877

Nov. 21, '81.

Permission
to connect
discre-
tionary.

Applica-
tion.

SEC. 974. The occupant or occupants of premises from which any such connection is made shall be found at his, her, or their own expense to keep such connection in good order. Any person or persons who shall make connections with any sewer of said city, except by permission as aforesaid, or who after permission shall fail to perform, or violate any of the terms and conditions of such permission, or shall fail to keep such connection in good order, shall, upon conviction thereof before the Recorder's Court, be fined in a sum not to exceed one hundred dollars, or be imprisoned not to exceed thirty days, or either or both, in the discretion of the court.

Must be kept in good order.

Penalty.

Putting down sewers or gas pipe.

May 17, 1880

Penalty.

SEC. 975. Any person who desires to excavate any street, to any extent, for the purpose of laying sewer or gas pipes, or for any other purpose, shall get permission in writing from the City Engineer, who shall specify the streets and portions thereof, which are to be so excavated, and the length of time for which such permission is granted. During the time such work is progressing lighted lanterns shall be placed, at night, on either end of said excavation, and any piles of dirt or material. The top soil and rock, if any, shall be carefully kept apart from the clay or lower earth, and shall be replaced in as good condition as the same was before, or to the satisfaction of the Engineer. Any person or persons violating this section, or any part thereof, shall, on conviction, be fined not more than one hundred dollars, or imprisoned not more than thirty days.

SEC. 976. Any person who may desire to excavate any street which has been permanently improved, for the purpose of laying sewer, gas or water pipes, or for any other purpose, shall first apply and obtain permission from the Commissioner of Public Works, and deposit with the Commissioner of Public Works such sum as, in the judgment of such Commissioner, shall be sufficient to cover the cost of replacing said permanent improvement, the surplus, if any, to be returned when work is completed; who shall specify

Excavating in streets regulated.

Permits to be obtained.

in writing the streets and portions thereof which are to be excavated, and the length of time for which such permission is granted, and any person who shall remove any permanent improvement upon such streets without first having obtained such permission, shall, upon conviction thereof, be fined not more than one hundred dollars, or imprisoned not more than thirty days. ^{Penalty.}

SEC. 977. All permanent improvements which may be removed, and all excavations which may be made as aforesaid, shall be refilled and replaced by the Commissioner of Public Works, and all debris removed by said Commissioner, and the entire cost of such work shall be collected out of the person to whom such permit has been granted, and shall be, by such Commissioner, paid over to the City Treasurer, and by him conveyed into the city treasury. In order that such work shall be done expeditiously, it shall be the duty of the person to whom such permit is granted to notify the Commissioner of Public Works when the work of repair can commence, and until such notification has been given, all obligations to protect excavations, etc., shall rest upon the person to whom the permit has been granted. ^{How re-filled, and replacing improvements.}

SEC. 978. When a permit is revoked as above provided, or any person shall fail to do any of the work above specified, in the manner provided by this ordinance, or who shall fail on notice from the City Engineer, to repair defective work within the time specified in the notice, no other permit shall thereafter be granted such party by the Commissioner of Public Works, but only by the Mayor and General Council of said city, on application therefor, which application may, in the discretion of said body, be granted or refused, and such person so failing to do said work, and in the manner as above provided, or who shall do any such work without the permit herein above provided, shall, on conviction thereof, for each offense be fined not exceeding one hundred dollars, or imprisoned not exceeding thirty days, either or both in the discretion of the court. ^{Penalty.} ^{Oct. 5, 1885.}

Regulating
rem'vl and
replacing
permanent
street im-
provem'ts

SEC. 979. *Be it further ordained*, That the City Engineer shall keep a book in which he shall record the name of the party to whom the permit is granted and the date, etc.

Duties of
police in
this matter

SEC. 980. It shall be the duty of the Police Department to enforce said ordinance by causing the apprehension and prosecution of all violators of its provisions, and it is hereby made the duty of any person, who may be removing or about

May 3, 1886.

to remove any permanent street improvement, to exhibit to any officer of the police or to any policeman the permit from the City Engineer to make such removal, when called upon to do so, if it is claimed by any person that such permit has been granted. A failure to exhibit such permit when so called upon, shall subject the offender, on conviction thereof, to the penalty prescribed in said ordinance, of which this is amendatory. All ordinances in conflict with the foregoing are hereby repealed, etc.

SEC. 981. The provisions of section 702 of City Code of 1886 (being section 975 of this Code), are continued in force and in no wise affected by this ordinance.

Earth
replaced
must be
puddled
and packed

SEC. 982. It shall be the duty of the Commissioner of Public Works, in replacing any earth removed as aforesaid, to have the same properly puddled and packed before the permanent improvements are replaced thereon, and to require every portion of the work referred to in this ordinance, including the replacement of permanent improvements, to be done by skilled workmen.

Jan. 16, 1888

Gas mains,
water and
sewer pipes
—how laid.

SEC. 983. All gas mains to be laid three feet below the surface of the street, and that all water pipes be laid three and one-half feet below the surface; and all sewer pipes to be laid four feet below the surface, where it is necessary to lay such pipes.

May 7, 1888.

An ordinance establishing a system of sewers.

System of
sewers
provided
for.

SECTION 984. *Be it ordained by the Mayor and General Council of the City of Atlanta, and it is hereby ordained by authority of the same*, That, whereas, the Sanitary Consult-

ing Engineer heretofore engaged by said city, and the City Engineer of said city, both advised the Mayor and General Council, prior to the introduction and passage of Act hereafter referred to, amending the charter of said city, relating to the constructing of sewers by said city, that a proper and necessary system of sewerage for said city would cost on an average from four dollars to four dollars and fifty cents per lineal foot of said sewerage, small lines of sewers costing less and large lines costing more than said average, and it so appearing; and, whereas, the small lines costing less than said average, are dependent upon and drain into the large lines or sewers costing more than said average; and, whereas, sewerage benefits the real estate in front of which and through which it is laid or constructed, and also benefits the general public of said city; and whereas, an assessment of ninety cents per lineal foot on the real estate abutting on a sewer on each side of a street in which a sewer is laid or constructed; and an assessment of ninety cents per lineal foot on the real estate abutting on each side of a sewer laid or constructed through private property will realize an average of one dollar and eighty cents per lineal foot of sewerage laid or constructed, less deductions for exemptions at street corners, which is less than one-half of the whole average cost; and whereas, the remaining cost of more than one-half thereof will be paid from the City Treasury from appropriations for sewers; therefore, be it ordained;

SEC. 985. That from and after the passage of this ordinance all sewers laid or constructed by said city shall be laid or constructed under, and in accordance with the Act of the General Assembly of Georgia, amending the charter of said city approved November, 1889.

SEC. 986. *Be it further ordained*, That in all cases where a sewer shall be laid by, or under the authority of said city in any street, the sum of ninety cents per lineal foot shall be assessed upon the property and estates respectively abutting on said sewer, on each side of said street, on which said

Sewers laid
under Act
Nov. 8, 1889

Ninety
cents per
lineal foot
on each
side ass's'd
against
property
owners.

Privilege of
abutters to
connect.

sewer is laid or constructed and in consideration of the payment of said assessment, the owners of said estates shall have the right to connect their drains from said abutting property for the discharge of sewerage into said sewer, and in case any such sewer is laid down or constructed through or over any private property along the course of any natural drain or otherwise, a like sum of ninety cents shall be assessed upon said property abutting on each side of said sewer for every lineal foot, making in all one dollar and eighty cents for every lineal foot to be assessed upon such property through which sewers are constructed as aforesaid, and in consideration of the payment of said assessment, the owners of said estate respectively on each side of said sewer, through or over which such sewer shall be constructed, shall have the right to connect their drains from said abutting property for the discharge of sewerage into said sewer.

Material,
etc., in
discretion
of Council.

SEC. 987. The extent and character, material used, and expense of sewers constructed, as well as the time and manner of constructing the same, shall be in the discretion of the Mayor and General Council of said city, to be prescribed from time to time by ordinances and upon like notice and in the same manner, and the assessment laid and enforced by execution, levy, sale and otherwise, as in case of ordinances and assessments for paving streets in said city, except that sewers hereby authorized may be constructed with or without petition by property owners when in the judgment and discretion of the Mayor and General Council the public health and good of the city shall so require.

How to
defend
against
assessment

SEC. 988. The remaining cost of sewers not thus assessed shall be paid out of the sewer appropriations for the year; *Provided*, that the defendant shall have the right to file an affidavit denying the whole or any part of the amount for which the execution is due, and stating what amount he admits to be due, which amount so admitted to be due shall be paid or collected before the affidavit is received, and the affidavit received for the balance, and all such affidavits so

received shall be returned to the Superior Court of Fulton county and there tried and the issue determined as in cases of illegality, subject to all pains and penalties provided in cases of illegality for delay.

SEC. 989. *Be it further ordained*, That for the preservation of all sewers in said city for the public use and easement aforesaid, said Mayor and General Council shall have the authority to direct and control the time and manner in which connection shall be made with such sewers, and by whom the work is to be done, and upon what terms and conditions and at what point and to what extent surface water or drainage shall be permitted to flow into sewers, and generally all matters relating to the use and control and repairs of sewers and sewer connection, and replacing of paving and other adjacent structures in good condition, shall be at all times under the regulation and control of the said Mayor and General Council in its fair and legal discretion.

Under government of Council as to time and manner of connections

SEC. 990. *Be it further ordained*, That in case of any sewer or sewers or parts of the sewers being built or laid over or through private property, if the owner of such property claim damages for the occupation of said lands by such sewer and construction of the same thereon, such owner may, within thirty days, after the adoption of an ordinance for the construction of the same thereon, give notice of such claim, but a failure to give notice of such claim shall in no wise affect or prejudice the right of such owner to bring suit for damages sustained.

Damages of property owner—how ascertained.

SEC. 991. But on giving notice of such claim of damages, as aforesaid, assessors shall be appointed to assess damages to said land by reason or on account of the construction of any such sewer through or upon the same. Said assessors to be appointed, notice given, and their award made as in cases of property taken for opening, widening or straightening streets under the charter and laws of said city.

Assessors appointed

Corner lots
to have
deduction,
when.

SEC. 992. *Be it further ordained*, That in the case of real estate situated on street corners, and having frontage on two streets, the owner and real estate thus situated shall be assessed by this Act provided for the frontage on the street in which a sewer is first laid, and where a sewer is laid on the other street seventy-five feet of frontage shall be exempt from assessment on the owner and real estate for the last named sewer.

Cost of
sewer a
lien on
property.

SEC. 993. *Be it further ordained*, That the amount of such assessment for sewers on each piece of real estate shall be a lien on said real estate from the date of the passage of the ordinance providing for the work and making the assessment.

Notice of
kind and
line of
sewer to be
published.

SEC. 994. *Be it further ordained*, That the construction of all sewers under this ordinance shall be provided for by ordinance. After the first reading of an ordinance for the construction of a sewer a notice of the introduction of the same shall be published in one or more of the daily papers of the city. Such notice shall contain a statement of the line along which the proposed sewer is to be laid, and a statement of the general character, material and size of such sewer, and said notice shall be published at least as many as ten days before the adoption of said ordinance, and said ordinance may be adopted at the next meeting after the introduction or at any subsequent meeting after said notice has been published. Substantial compliance with the above requirements as to notice shall be sufficient.

All sewers
to be built
under this
ordinance.

SEC. 995. The foregoing ordinance and provisions thereof are to apply and have reference to, and be construed in connection with each ordinance hereafter passed, for laying or constructing a sewer by or under the authority of said city.

Repealing
clause.

Jan. 20, 1890

SEC. 996. *Be it further ordained*, That all laws or parts of laws in conflict with this ordinance be, and the same are hereby repealed.

Connec-
tions with
new sewers
—Board of
Health
may
require.

SEC. 997. An ordinance to authorize the Board of Health to require owners of property, or agents in charge of property, in front of which new sewers are or may be built

and old culverts abandoned, to quit using the old culverts, and to connect with the new sewers.

SEC. 998. *Be it ordained by the Mayor and General Council,* That the Board of Health of the City of Atlanta is hereby authorized to require the owners or agents in charge of property in front of which new sewers are built, to take the place of old culverts, abandoned for sewerage purposes, to quit using the old culverts for drainage purposes, and to connect their drainage with the new sewers. In case of abandoned culverts, etc.

SEC. 999. Any property owner or agent in charge of property, notified by the Board of Health to quit using the old culverts and to connect their drains with the new sewers, failing to connect their drainage with the new sewers, or continuing to use the old culverts for drainage purposes for a longer period than twenty days after service of notice, shall be punished, on conviction before the Recorder's Court, by fine not exceeding one hundred dollars, or imprisonment not exceeding thirty days. Penalty for failure to comply with notice. July 22, '90.

SEC. 1000. *Be it ordained by the Mayor and General Council,* That from and after the passage of this ordinance, connections shall not be required or permitted to be made with any sewer already laid and not already connected with until such time as shall be indicated by the Committee on Sewers and the City Engineer to the Board of Health, which connections shall be required and made as by existing ordinances provided. Connections, when made.

CHAPTER XLIX.

SEXTON.

SECTION.

1001. Election.

1002. Depth of graves.

1003. Record.

SECTION.

1004. Bond and fees.

1005. Compensation.

Election. SECTION 1001. The Mayor and General Council shall elect a Sexton, whose duty it shall be to superintend the digging of all graves, and all interments that shall take place in and for the City of Atlanta, in Oakland Cemetery.

Depth of graves. SEC. 1002. No graves shall be dug less than five feet deep; nor shall any grave be dug, or corpse interred, except under the superintendence and direction of the Sexton.

Record. SEC. 1003. The Sexton shall keep a book of record of all the deaths and burials in the city, giving the name, age, place and nativity, disease, and the place from whence buried, and time of residence in the city.

Bond and fees. SEC. 1004. He shall give bond in the sum of three hundred dollars for the faithful performance of his duties, and shall receive the following fees: For digging a grave for person four years old, or over \$4.00; under four years, \$2.00; for attending funeral without hearse, \$1.00; for attending with hearse, \$2.00; for special or general invitation, \$1.50; and for attending without the corporate limits, within three miles, double price, which shall be paid over to the Clerk of Council.

Compensation. SEC. 1005. The Sexton shall receive such compensation as may be fixed by the Mayor and General Council before his election, which shall not be changed during his term. He shall make a monthly mortuary report to the Chairman of the Board of Health.

See chapter Births and Deaths, also Cemetery. See also Ordinance creating Comptroller, etc.

CHAPTER L.

SHOOTING GALLERIES.

SECTION.

1006. License.

1007. Restrictions.

SECTION.

1008. Minors and drunken persons.

1009. May practice when.

SECTION 1006. Any and all persons desiring to open a ^{License.} pistol or shooting gallery in the City of Atlanta, shall first deposit with the Clerk of Council twenty-five dollars and license fee, and then make a written application at a regular meeting of the Mayor and General Council, who shall grant a permission, if they see proper.

SEC. 1007. Any and all persons having obtained a license, ^{Restriction} shall be subject to the same restrictions and liabilities, both as to orderly houses, days and nights, that retailers of spirituous liquors are; and for any violation, shall be tried and punished the same way.

SEC. 1008. It shall not be lawful for persons conducting ^{Minors and} any shooting gallery to allow minors, except as hereinafter ^{drunken} provided, or drunken persons to practice shooting, under a ^{persons.} penalty of a fine of one hundred dollars and cost of trial, or be imprisoned not exceeding thirty days.

SEC. 1009. It shall be lawful to allow minors with the ^{Minors} written consent of their parents or guardians to practice ^{may prac-} shooting at any of the regularly licensed shooting galleries ^{tice when.} of this city. April 15, '89

CHAPTER LI.

STREETS AND ALLEYS.

SECTION.

- 1010. Power to grade, pave, etc.
- 1011. Owners pay for sidewalks.
- 1012. Owners of one-third frontage must petition.
- 1013. Assessments equalized or fixed by ordinance.
- 1014. Lien on property from passage of ordinance.
- 1015. Illegality to execution for paving.
- 1016. Accounts kept by Commissioner Public Works.
- 1017. Accounts—how audited.
- 1018. Width of sidewalks.
- 1019. Sidewalks—how put down.
- 1020. Material required.
- 1021. Repair of sidewalks.
- 1022. At expense of owner.
- 1023. Owner to keep clean.
- 1024. Penalty for failure.
- 1025. Grating—not more than two feet.
- 1026. Obstructions.
- 1027. Engineer to remove fences, trees, etc.
- 1028. Boilers not on or under sidewalks.
- 1029. Use of streets in building.
- 1030. Riding or driving in disorderly manner.
- 1031. Bridges—drive over not faster than walk.
- 1032. Not drive over crossing-plates.
- 1033. Digging sand or gravel out of streets.
- 1034. Auctioneers not to obstruct streets.
- 1035. Bids opened in presence of Council.
- 1036. Curbing to be turned at corners.
- 1037. Curbing and sidewalks laid at owner's expense after notice.
- 1038. Sidewalks laid full width.
- 1039. No limitations in contract power except those in Charter.
- 1040. Awnings, etc.
- 1041. Horses not fastened to trees, etc.
- 1042. Liquids not thrown on streets.
- 1043. Hauling dirt.
- 1044. Sweepings.
- 1045. Box for sweepings.
- 1046. Dangerous lots.
- 1047. Auction sales on streets prohibited.
- 1048. Medicines, etc., not sold on streets.
- 1049. Penalty.
- 1050. Vicious animals kept off streets.

SECTION.

- 1051. Shade trees trimmed eight feet.
- 1052. Plats of real estate filled.
- 1053. Poles—telegraph and telephone painted.
- 1054. Electric wires—27 feet above street.
- 1055. Changed—on what notice.
- 1056. Penalty.
- 1057. Chief fire department may cut at fires.
- 1058. 24 feet above ground—penalty.
- 1059. City will not pay damages caused by electricity.
- 1060. Street directory boards.
- 1061. Street sprinklers.
- 1062. May sprinkle block or rock crossings.
- 1063. Surplus dirt removed.
- 1064. Tracks of street railroads, granite blocked.
- 1065. Provides for system of house numbering.
- 1066. Numbers obtained—how.
- 1067. Engineer's discretion.
- 1068. Owner's privilege.
- 1069. Penalty for violation.
- 1070. Marietta street widened.
- 1071. Names of certain streets changed.
- 1072. Name and width of Peachtree street from Marietta to railroad.
- 1073. Pryor street extended.
- 1074. Certain alleys widened and made streets.
- 1075. Bartow street.
- 1076. New streets to be fifty feet wide.
- 1077. Certain street names changed.
- 1078. Peachtree street embraces parts of formerly Oak and Ivy.
- 1079. West Peachtree street.
- 1080. Waverly Place.
- 1081. McDonough changed to Capitol avenue.
- 1082. Magazine changed to Magnolia.
- 1083. Bree street changed to Milledge.
- 1084. Courtland street.
- 1085. Berrien street.
- 1086. Logan street.
- 1087. Edgewood avenue.
- 1088. Jennings street.
- 1089. Hammock street.
- 1090. West Harris street.
- 1091. Earl street.
- 1092. Gate City changed to Smith street.

SECTION.

1093. Derby street.
 1094. Linden street.
 1095. Garnett street extended.
 1096. Capitol Square and Capitol avenue.
 1097. South Bell changed to Hill street.
 1098. Georgia avenue.
 1099. Painting on walks, etc., prohibited.
 1100. Summit avenue and East avenue.
 1101. Trinity avenue.
 1102. Ponce de Leon avenue—sidewalks.
 1103. Excavations—bonds required,
 1104. Pipes—must cut holes in curb-stones.
 1105. Notify Chief fire department of work in streets.
 1106. Penalty for failure.
 1107-1118. The present paving ordinance—contract with Venable Bros

SECTION.

1107. Venable's proposition accepted.
 1108. Price of curbing, paving, etc.
 1109. Transfer of installment bills or *fi. fas.*
 1110. Option of property owner to pay cash or in installments.
 1111. City not liable for property owner's *pro-rata*.
 1112. Machinery of government used to collect costs of paving and curbing.
 1113. Old contract of S. H. Venable merged in this one.
 1114. Legislation to be applied for.
 1115. Right reserved by city to use other curbing and paving.
 1116. Providing for transfers, etc.
 1117. \$100,000.00 bond required.
 1118. Contract—how signed.

SECTION 1010. The Mayor and General Council of the City of Atlanta shall have full power and authority in their discretion to grade, pave, macadamize and otherwise improve for travel and drainage of the streets and public lanes and alleys of said city, and to construct sidewalks and pave the same; to put down curbing, cross-drains, crossings, and otherwise improve the same.

Power of Mayor and Council to grade and pave streets

SEC. 1011. In order to fully carry into effect the authority above delegated, said Mayor and General Council shall have full power and authority to assess the cost of paving and otherwise improving the sidewalks, including all necessary curbing for the same, on the real estate abutting on the street, and on the side of the street on which the sidewalk is so improved.

Power to assess cost against owner of property.

SEC. 1012. Said Mayor and General Council shall also have full power and authority to assess one-third of the cost of grading, paving, macadamizing, constructing side-drains, cross-drains, crossings, and otherwise improving the roadway or street proper on the real estate abutting on each side of the street improved: *Provided*, that before any street, or a portion of a street, shall be so improved, the person owning real estate which has at least one-third of

Manner of obtaining jurisdiction.

Petition of
owners of
 $\frac{1}{4}$ frontage
of abutting
property.

the fronting of the street, or portion of a street, the improvement of which is desired, shall, in writing, request the Commissioners of Streets and Sewers to make such improvements, and said Commissioners shall have approved the same, and shall forward the same, with their approval, to the Mayor and General Council with a statement of the character of the improvement proposed to be made, and an estimate of the cost of the same, and said Mayor and General Council shall, by ordinance, direct the said work to be done; *and, provided further*, that any street railroad company having tracks running through the streets of said city, shall be required to macadamize, or otherwise pave as the Commissioners of Streets and Sewers may direct, the width of its track, and for three feet on each side of every line of track now in use, or that may hereafter be constructed by such company: *Provided*, that the law authorizing the assessment on the abutting property owners of the whole cost of paving sidewalks (including cost of curbing,) is in no way affected hereby.

Assessment
shall be by
ordinance,
and dis-
cretionary.

SEC. 1013. Said Mayor and General Council shall have full power and authority to adopt, by ordinance, such a system of equalizing assessments on real estate, for the above purposes, as may be just and proper, estimating the total cost of each improvement made, and pro-rating the cost thereof on the real estate, according to its frontage on the street or portion of a street so improved. It shall be wholly discretionary with the Commissioners of Streets and Sewers, and with the Mayor and General Council, whether any work asked for is desirable or necessary, and shall be done or not; and no application shall be received, and no work done for less than an entire block: *Provided*, that the owners of one-third or more of the frontage on a block shall not, by a failure to apply for work, or by objection thereto, defeat an application of the owners of one-third of the frontage of more than a block, when such application shall have been regularly made.

SEC. 1014. The amount of assessment on each piece of real estate shall be a lien on said real estate from the date of the passage of the ordinance providing for the work and making the assessment.

Lien of
assessment

SEC. 1015. The Mayor and General Council of said city shall have authority to enforce the collection of the amount of any assessment so made, for work either upon streets or sidewalks, by execution, to be issued by the Clerk of Council against the real estate so assessed, and against the owner thereof, at the date of the ordinance making the assessment, which execution may be levied by the Marshal of said city on such real estate; and after advertisement and other proceedings as in cases of sales for city taxes, the same may be sold at public outcry to the highest bidder, and such sale shall vest an absolute title in the purchaser: *Provided*, that the defendant shall have the right to file an affidavit denying that the whole, or any part of the amount for which the execution issued, is due, and stating what amount he admits to be due, which amount so admitted to be due shall be paid or collected before the affidavit is received, and the affidavit received for the balance, and all such affidavits so received shall be returned to the Superior Court of Fulton county, and there tried, and the issue returned as in cases of illegality, subject to all the pains and penalties provided in cases of illegality for delay.

Collection
of assess-
ment—
defence.

SEC. 1016. *Be it ordained by the Mayor and General Council of the City of Atlanta*, That the Commissioners of Public Works be required to keep an accurate account of the money expended on the different appropriations which may be made for any streets and sewers each year, and specify the same on each weekly pay roll, with the name of the street or sewer, and that they be required to stop the work when the amount appropriated for any street or sewer is exhausted, and communicate the same to the Mayor and General Council.

Commis-
sioners of
Public
Works to
keep
separate
accounts of
expendi-
tures for
specific
appropria-
tions, etc.

April 20, '85

Accounts
of, how
paid.

SEC. 1017. All accounts for work done on streets and sewers and to be paid out of the regular annual appropriations, set apart and appropriated by the Mayor and General Council for such work, shall, before they are paid, be made out as other accounts against the city are made, be approved by the Commissioner of Public Works, and shall then be approved by the Committee on Streets or Sewers, and delivered to the Auditor on or before Thursday preceding the regular meetings of the Mayor and General Council, and shall then take such course as other accounts against the city.

Sidewalks,
width of.

Feb. 7, 1881.

SEC. 1018. All sidewalks for pedestrians in the city hereafter constructed shall be of the following widths: On streets sixty feet wide the sidewalks shall be ten feet in width; on streets fifty feet wide the sidewalks shall be nine feet; on streets forty feet, sidewalks shall be eight feet, and on streets thirty feet wide sidewalks shall be six feet in width.

Sidewalks,
how put
down.

SEC. 1019. It shall be the duty of persons owning lots fronting on streets, or property abutting on private alleys, in said city, upon notice of the Commissioner of Public Works, to put down in front of their property, upon the grade given them by the said Commissioner and in accordance with his direction, and in such manner as to receive his approval, good and substantial curbing and sidewalks of such character and material as the General Council shall, by resolution, prescribe. They shall keep the same in good repair, whether put down by themselves or by the city; and if they should fail to do so after ten days' notice, the said Commissioner shall have such repairs done at the expense of the lot owner, and collect for such repairs as is hereinafter provided, in cases where lot owners refuse or fail to put down sidewalks after notice: *Provided*, that should said sidewalks be in a condition dangerous to passers-by that ten days' notice shall not be necessary, but the said Commissioner may have such repairs done at once,

and collect therefor in the same manner as though such ten days' notice had been given.

SEC. 1019. (a) If any property-owner, who shall be notified as provided in the preceding section, and shall fail within thirty days to comply therewith, the city shall have such curbing and sidewalks put down at such property-owner's expense. In all such cases the Commissioner of Public Works shall have a bill for the cost of such work and material presented to the property-owner, and if the same is not paid within ten days the said Commissioner shall deliver the bill to the Clerk of Council, who shall issue an execution for the amount of such bill against the property-owner or owners, and against his, her or their lands, goods, or chattels. Such execution shall be delivered to the Marshal, who shall proceed to collect the same by levy and sale, as by law provided in cases of tax executions. The fees of the Clerk and Marshal shall be the same as in tax executions.

City to put down if owner refuses or fails.

Execution for cost.

Fees of Clerk and Marshal.

SEC. 1020. That all sidewalks, which may hereafter be laid within the city limits, shall be constructed of either of the following materials: Stone, of not less dimensions than two feet by ten feet, asphalt, cement, Augusta, Macon, or river, or other first-class hard brick, in such manner as is prescribed in section 647 of the Code of the City of Atlanta for 1883.

Sidewalk material.

SEC. 1021. The Commissioner of Public Works shall keep employed a suitable man, and have under him a sufficient force of men whose sole and exclusive duty shall be to repair dangerous places on the streets, sidewalks and bridges of the city, and any place of the kind coming to their knowledge shall be fixed at once.

Dangerous places in streets fixed.

Feb. 20, '82.

SEC. 1022. It shall be the duty of all owners of property in the city, in front of which the sidewalks have been paved, to keep such sidewalks in good repair, and to do such repairing and other work as may be necessary to keep the same in good, smooth condition.

Owners to keep sidewalks in good repair.

Keep clean

SEC. 1023. It shall be the duty of all occupants of improved property and owners of vacant property, in front of which the sidewalks have been paved, to keep such sidewalks clean, and to do such sweeping and scraping as may be necessary to remove clay, dirt and trash therefrom, and to render the same passable, comfortable and sightly.

Penalty.

SEC. 1024. Any person failing to comply with the conditions of the foregoing ordinance shall be reported by the police force, and may be summoned to appear before the Recorder's Court, or may be arrested by any officer or member of the police force and taken before said court, and such person may, on conviction, be fined in a sum not exceeding one hundred dollars or be imprisoned not exceeding thirty days, either or both, in the discretion of the court, for each offense.

Gratings—
width of,
on side-
walks.

SEC. 1025. No person, in building upon any of the business streets of the city, shall occupy more than two feet of the sidewalk for area, grating and lights, without special permission of the Mayor and General Council.

Obstruc-
tions.

SEC. 1026. No person shall place any trash, lumber, wood, glass, or other obstructions, in any public street, lane, alley or way in said city, or on any sidewalk. Any person who shall place any obstruction, as aforesaid, in any street, lane, alley or way, or on any sidewalk, failing or refusing to remove the same within six hours after being notified by the Chief, or any member of the police force, or, having removed the said obstructions, shall replace the same or similar obstructions, shall on conviction, be fined not exceeding one hundred dollars, or imprisonment not exceeding thirty days.

Mar. 15, '72.

Sidewalks,
—obstruc-
tions of to
be removed
by City
Engineer,
when.

SEC. 1027. That when any street or sidewalk in the city is being paved, or graded, the City Engineer shall have authority to have any obstructions moved, such as fences, that are over the surveyed line on the sidewalks, and trees that are too far from the curb on the sidewalk, that obstruct the free and open passage-way of said sidewalk.

April 20, '85

SEC. 1028. From and after the passage of this ordinance, it shall be unlawful for any person or firm to hereafter erect and run any steam boiler for any purpose, under or on any sidewalk. That any person or firm violating the foregoing section shall, on conviction in the Recorder's Court, be fined in a sum not less than one, nor more than one hundred dollars, or imprisoned not exceeding thirty days.

Boilers
not to be
located on
or under
sidewalks.

April 6, '85.

SEC. 1029. Any person or persons actually building, or about to build or repair any building, may collect and lay all such materials as may be necessary for such building or repairs in the street, lane or alley next adjoining to or in front of, such building or repairs, and such person or persons so building or repairing, shall have the privilege of using one-half of the sidewalk and one-half of the width of the street adjoining, or in front of said building or repairs: *Provided*, that no person so building or repairing shall interfere with the running of the cars upon any street railroad: *and, provided further*, that such person or persons shall keep any excavation securely covered, and keep one-half the sidewalk open and in good passable condition. During all such time as such materials shall so lie in any street, lane or alley, the owner or proprietor of such materials shall cause a lamp, or lantern, with a good and sufficient light therein, to be securely hung up, placed or fixed on a post, or otherwise, at each of the two corners of such inclosure, projecting into the said street, lane, or alley, and in such manner as clearly and plainly to show the place and extent occupied by such materials. The said lamp or lantern shall be lighted by said owner or proprietor at or before dark in the evening, in such manner as to reasonably suppose it shall continue to burn until daylight. The use of one-half of the sidewalk and one-half of the street shall only be allowed twenty days before a building is actually commenced, and ten days after its completion. Any one violating the provisions of this section shall be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the court.

Use of
streets in
building.

Penalty.

SEC. 1029 (a). 1. That no person occupying any store,
 April 23, '91 stall, shop or other place of business shall obstruct the side-
 walk in front of the place so occupied by him, or the view
 from the street, to or across the sidewalk, by placing goods
 of any kind on or over such sidewalk longer than is really
 See 1029 b. necessary to get the goods or other articles into or away
 from such place of business in receiving and delivering such
 goods or other articles.

2. Any person violating this ordinance shall be subject
 to fine not exceeding one hundred dollars, or imprisonment
 not longer than thirty days, one or both, in the discretion of
 the court.

3. Repeals conflicting laws.

SEC. 1029 (b). 1. *Be it further ordained*, That merchants
 Sidewalks—
 merchants
 may use
 who feet to
 display
 goods. be allowed two feet of the sidewalk next to their buildings
 on which to display their goods.

2. Repeals conflicting laws.

SEC. 1030. Any person or persons who shall drive a vehi-
 Riding and
 driving. cle or ride in a disorderly manner through the street, or
 over the bridge, faster than a walk, or who shall ride on,
 or place any wagon, cart or vehicle on the sidewalk, or
 stop such vehicle on a regular street-crossing, shall, on con-
 viction, pay a fine of not exceeding one hundred dollars
 and cost, or be imprisoned not exceeding thirty days.

SEC. 1031. That it shall be unlawful to drive any dray,
 Driving
 over
 bridges
 faster than
 a walk
 prohibited. carriage or other vehicle over or across any public bridge,
 in this city faster than a walk. Any person or persons
 violating the above provision shall be arrested and carried
 before the Recorder's Court, and, upon conviction, be fined
 in a sum not less than one dollar, nor exceeding one hun-
 Penalty. dred dollars, or be put upon the public works not less than
 one day nor exceeding thirty days, one or both, in the dis-
 cretion of the court.

June 1, 1885

SEC. 1032. *Be it ordained*, That from and after the pass-
 Vehicles
 prohibited
 from
 driving
 over iron
 plates at
 crossings. age of this ordinance, it will be unlawful for any person
 to drive a vehicle on or across the iron plates which are
 placed across gutters at the street crossings. Any person

violating this ordinance shall, on conviction before the Recorder's Court, be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days. Penalty. April 6, '85.

SEC. 1033. Any person who shall dig or scrape up and carry away gravel, earth, dirt, rocks or sand, from any street, lane or alley of said city, shall, on conviction thereof, pay a fine of not exceeding twenty dollars and cost for each offense, or be imprisoned not exceeding thirty days in the calaboose. Digging gravel, etc., out of streets. Penalty.

SEC. 1034. No auctioneer, commission merchant, or other merchant, shall be allowed to obstruct any public street or sidewalk for the purpose of selling, vending, showing or disposing of their wares and merchandise, or of delivering the same; nor shall an assembly of persons, as bidders, be assembled for the purpose of bidding for the same, so as to obstruct free passage on the sidewalks or streets of the City of Atlanta. Any person or persons who shall do or cause the same to be done, or shall fail or refuse to remove the same, after being notified by the Marshal or his deputy, shall, on conviction, be fined in a sum not exceeding one hundred dollars and costs, or be imprisoned thirty days in the calaboose, or common jail of Fulton county: *Provided*, merchants may use one-third of the sidewalk so long as it may be necessary for receiving and shipping goods. Auction'rs, merchants, etc., not to obstruct sidewalks or streets. Merchants may use one-third of sidewalk in receiving and shipping goods. July 5, 1886.

SEC. 1035. All bids made for work under the advertisements of the Commissioner of Public Works shall be received by the Clerk in open Council, and by him opened in the presence of the Mayor and General Council. Bids op'nd in presence of Mayor and Gen'l Council.

SEC. 1036. It shall be the duty of the City Engineer, in future, in having curbing laid, to have all corners turned with curved curbing, cut on such radius as he may deem proper, and that the cost of the same shall be charged to the owners of corner lots. Curbing to be turned at corners. Dec. 3, 1888.

SEC. 1037. If any property owner, who shall be notified as provided in the preceding section, shall fail within twenty days after notice to comply thereunto in so far as to pay the curbing, the city shall have such curbing put down Curbing laid at owner's expense after notice.

at each property owner's expense. Each property owner notified as above provided, shall have ten days from the laying of the curbing and completion of grading, in which to complete and lay sidewalks, and on failure to so complete and lay sidewalks within said ten days, the city shall have the sidewalks laid and completed at each property owner's expense. In all such cases the City Engineer shall have a bill for the cost of such work and material made out and turned over to the City Clerk, who shall have the same presented to the owner, and if the same is not paid within ten days after the same is so presented, said City Clerk shall issue an execution for the amount of such bill against the property owner or owners, and against his, her or their lands, goods and chattels. Such execution shall be delivered to the Marshal, who shall proceed to collect the same by levy and sale, as by law provided in cases of tax execution. The fees of the Clerk and Marshal shall be the same as in tax executions.

Sidewalks
bricked
full width.

Jan. 20, '90.

SEC. 1038. *Be it ordained by the Mayor and General Council,* That all sidewalks hereafter laid in the city shall be laid the full width, as required by section 726 of the City Code of 1886.

All limita-
tions on
power of
Mayor and
General
Council to
contract
repealed.

Only char-
ter limita-
tions
retained.

Feb. 17, '91.

SEC. 1039. Any and all laws or ordinances which place any limitation on the power of the Mayor and General Council to contract directly, and without advertisement or other procedure, are hereby repealed; and hereafter the City of Atlanta, by the Mayor and General Council, shall have full power and authority to make any and all contracts, subject only to the limitations prescribed by the city charter or laws of the State.

Awnings.

Penalty.

SEC. 1040. All awnings erected in the City of Atlanta in front of booths, stores and residences, shall be at their lowest point eight feet from the sidewalk, and the pillars supporting said awning shall be placed on the extreme outer edge of said sidewalk; and any person violating this ordinance shall be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, or both,

in the discretion of the court. Occupants of the booths, stores, and residences, shall be responsible for the location of the awnings in front of said booths, stores and residences.

SEC. 1041. Any person who shall willfully destroy any shade tree, or who shall fasten any horse or animal to any shade tree, or fasten or leave such horse or animal close enough to injure any shade tree in the city limits or in Piedmont Park, or to any lamp-post or fence within the city limits, shall, upon conviction, pay a fine of not exceeding twenty-five dollars and costs, or imprisonment not exceeding thirty days, and the police force shall in every case seize the horse or other animal and retain it until the fine and costs are paid. Horses not to be fastened. etc.
Penalty.

SEC. 1042. Any person who shall throw or discharge from any lot or building any water or fluid substance so as to affect injuriously any street, lane, alley, way, or sidewalk in said city, shall, on conviction, be fined not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the court, for every twenty-four hours it is suffered to remain, after notice by any officer, or member of the police force, to remove the same; but a citizen may, by permission of the Street Committee, construct a drain or hollow pavement for the water or fluid substance to pass off. Liquids thrown on streets.
Penalty.

SEC. 1043. Any person or persons engaged in hauling or transporting dirt for any purpose whatever through any street, lane, alley, or way of the City of Atlanta, shall haul or transport said dirt in wagons or carts with close bodies. Any person violating this ordinance shall be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days. Hauling dirt.
Penalty.

SEC. 1044. Any person or persons who reside on, or do business on, any of the streets in the boundaries known as the sanitary limits, or any other person who shall deposit on any of the aforesaid streets, or the sidewalks of said streets, any sweepings from any stores, or dwelling-houses, or places Sweepings.

Penalty.

of business, or any paper, hair, fuel, slop or washings of any kind, watermelon rinds and seeds, fruit-parings, any vegetable matter, or any kind of garbage, shall, on conviction, pay a fine of not exceeding one hundred dollars for each and every offense, or be imprisoned not exceeding thirty days, or both, in the discretion of the court.

Box or receptacle.

SEC. 1045. For the convenience of all persons affected by the preceding section, it shall be their duty to place all accumulations, therein mentioned, in a sound and suitable box, or other proper receptacle, and place the same on the outside of the sidewalk every morning between the hours of 7 and 8 o'clock, except Sunday, on which day said boxes or receptacles shall not be placed on the sidewalks. After they have been emptied they shall be immediately removed and shall not be replaced until the appointed hour on the following morning. Any person or persons violating the

Penalty.

provisions of this section shall be punished by fine, not exceeding one hundred dollars, or imprisonment not longer than thirty days, in the discretion of the court.

Dangerous lots.

SEC. 1046. All persons who own property adjoining streets, and whose lots are below the street so as to make a dangerous off-set, shall be required to securely enclose the same so as to prevent danger to persons passing along the streets. It shall be the duty of the Chief of Police, through the police force, to give notice to all persons who come within this section to comply herewith, and on failure so to do, after five days' notice, such person shall be arrested and brought before the Recorder, and, on conviction, punished by a fine of not exceeding one hundred dollars and costs, or imprisoned not exceeding thirty days, either or both, in the discretion of the Recorder, Mayor, or Mayor *pro tem*.

Enclosure. Penalty for failure.

Aug. 5, 1878

Selling at auction on streets prohibited.

SEC. 1047. Any person who shall sell at auction, on the streets, or alleys of Atlanta, any live stock, goods or merchandise of any character, shall, upon conviction, be fined not more than one hundred dollars, or imprisoned not longer than thirty days.

SEC. 1048. From and after the passage of this ordinance no person or persons, under an auctioneer or peddler's license, shall auction off in any street or alley within the corporate limits of the City of Atlanta, any patent medicine or other articles of personal property.

Vending
of patent
medicines,
etc., at
auction on
streets
prohibited.
June 6, 1887

SEC. 1049. Any person or persons violating the foregoing ordinance shall be deemed guilty of a misdemeanor, and, on conviction before the Recorder's Court, shall be fined in a sum not to exceed one hundred dollars, or put at work on the public streets for a term not exceeding thirty days, either or both, in the discretion of the Recorder.

Penalty.

SEC. 1050. It shall be unlawful for the owner of any vicious or dangerous animal to allow such animal to run at large, and any person who shall allow or permit such animal to run at large, after having been notified that the same is vicious or dangerous, shall, upon conviction, be fined not exceeding one hundred dollars, or be imprisoned not longer than thirty days.

Vicious
animals.

Sept. 1, '79.

Penalty for
allowing
them to
run at
large.

SEC. 1051. It shall be the duty of property owners in this city to cause all shade trees along the sidewalk in front of their property to be trimmed up to a distance of eight feet from the ground. If said property owners shall fail to do the same, it shall be the duty of the Commissioner of Public Works to cause it done and report the same, with the cost thereof, to the Clerk of Council, who shall issue execution against such for the amount, and said execution shall be collected as tax executions.

Owners
shall trim
shade trees

Mar. 1, 1880

Upon fail-
ure Com-
missioner
of Public
Works
shall have
work done.

SEC. 1052. It shall be the duty of each and every property owner, or agent of such owner, having property in charge, who sub-divides any property in said city for the purpose of division or for sale, to file with the city a true copy of the plat or place of such division, giving dimensions of such proposed lots and width of such proposed streets. Any person who shall fail to comply with the provisions of this ordinance within ten days' notice after such sale or sub-division, shall, on conviction, be fined not more than twenty-five dollars.

File plats
of property
laid off
for sale.

May 3, 1880.

Penalty for
failure to
comply.

Telegraph
and
telephone
poles to be
painted.

June 21, '80.

SEC. 1053. All telegraph or telephone poles erected on the streets of the city shall be painted, and the said painting shall be kept in good repair. The Commissioners of Public Works may at any time notify the owners of said poles to paint or repair the same, and upon their failure to do so within ten days, the said poles shall be removed.

Electric
wires.

Height
twenty-
seven feet
above
street.

SEC. 1054. That from and after the passage of this ordinance all telegraph, telephone, electric light, burglar alarm, fire alarm, or other wires which shall be erected over the streets or sidewalks of the said city, shall be not less than twenty-seven (27) feet in height, or higher if this General Council should hereafter determine to increase the height of the same, from the surface of said street or sidewalk, and that all of said wires when connected with any building shall run at right angles from the poles to the building, so that no portion of said wire being over the street or sidewalk shall be of a less height than twenty-seven feet from the surface of said street or sidewalk.

Change.

Thirty
days'
notice.

SEC. 1055. That all such wires, now stretched in said city, shall conform to the provisions of this ordinance, and that all persons in charge thereof shall, within thirty days after notification by the Chief of the Fire Department, or other persons acting for him, and under his authority, change their wire so as to comply with the provisions of this ordinance. A written notice signed by the Chief of the Fire Department and left at the principal business office of any person, company or corporation engaged in any such business described, shall be deemed, and held to be, sufficient notice under this ordinance.

Penalty.

SEC. 1056. Any person, firm, or corporation violating any of the provisions of this ordinance shall, on conviction before the Recorder of said city, be fined in a sum not exceeding one hundred dollars, or imprisonment for thirty days, either or both, in the discretion of the court, and that service left at the principal business office of any such person, company or corporation, so engaged in such bus-

iness in said city, shall be deemed to be sufficient notice to any such person, company or corporation, to appear before said Recorder to answer the charge recited.

SEC. 1057. The Chief of the Fire Department, or other authority, acting under him, is hereby authorized to cut any and all of said wires which they shall deem necessary to cut on the occasion of fire alarms, without expense to the city for so doing: *Provided*, that nothing herein contained shall imply that the city authorizes any person to undertake the risk of cutting any of said wires or renders itself liable for any injury to the person so doing.

Fire
Depart-
ment may
cut wire.

Jan. 8, 1885.

SEC. 1058. From and after the passage of this ordinance all electric wires shall be placed at a distance from the surface of the ground of not less than twenty-four feet, and any violation of this ordinance shall subject the offender to fine or imprisonment, in the discretion of the Recorder.

Electric
wires
twenty-
four feet.

Feb. 2, 1885.

Penalty.

SEC. 1059. That nothing contained in any of the ordinances, resolutions, or acts of the General Council in relation to the erection of telegraph, telephone, electric, burglar alarm, or other wires, shall be construed to mean that the City of Atlanta holds itself in any manner responsible or liable for damages to persons or property by reason of any accident, or occurrence, but that the city disclaims any liability whatever in the premises.

City not
liable.

Feb. 2, 1885.

SEC. 1060. Any person or persons who shall remove, or cause to be removed, or who shall mutilate, deface, destroy or injure any of the street directory boards, shall, on conviction before the Mayor, Recorder, or three members of Council, pay a fine of not more than five hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court: *Provided*, unless it should become necessary to remove the same for building or repairing purposes, in which case the owner of the property, or the person who removed the board, must place the same in its correct or original position, immediately after the completion of such building or repairing.

Injuring
street
directory
boards.
Penalty.

Feb. 5, 1877.

Sept. 19, '87.

SEC. 1061. Sprinkling the streets, sidewalks or crossings with water shall be, and is hereby prohibited, except between the hours of 5 and 7 o'clock A. M., 12 and 1 o'clock P. M., and 6 and 8 o'clock P. M.: *Provided*, that from September 1st to May 1st the hours for sprinkling shall be from 6 to 8 o'clock A. M., from 12 o'clock M. to 1 o'clock P. M., and from 5 to 7 o'clock P. M. A violation of this section shall, on conviction, subject the offender to a fine not to exceed one hundred dollars and costs, or imprisonment not to exceed thirty days, one or both, in the discretion of the court. It shall not be lawful for any person in sprinkling water in said city, from hose-pipe or otherwise, wilfully or carelessly to sprinkle the same against or upon any person or persons, horses or carriages: *Provided*, that on the trial of any person charged with a violation of this section it shall be competent for the accused to introduce testimony to the effect that proper diligence had been used, and precaution exercised, and that the occurrence was purely accidental, and not the result of criminal negligence, or malicious or mischievous purpose. Any person violating this section shall, on conviction, be punished as prescribed in this ordinance.

SEC. 1062. The street sprinklers shall not be required to cut off water when sprinkling crossings of streets on which belgian blocks or rubble stones have been placed.

SEC. 1063. All Telegraph, Telephone, Electric Light, and all other companies who set poles for the purpose of business in the city, shall remove any and all surplus dirt after setting such poles. Any person who shall violate the foregoing ordinance, shall, on conviction thereof, be imprisoned in the calaboose not exceeding thirty days, or fined not exceeding one hundred dollars, either or both, in the discretion of the court.

SEC. 1064. Whenever any street railroad, in repairing its tracks, removes the rubble between the tracks, the repairing between said tracks shall be done with belgian blocks, provided the balance of said street is paved with belgian blocks; and for violation of this ordinance the officers of

Street
sprinkling.

May 15, 1876

Sept. 18, '76.

Poles in
streets—
Regula-
tions for
setting.

July 2, 1888.

Penalty.

Rubble
between
street
railroad
removed to
be replaced
with bel-
gian blocks
in certain
cases.

the offending company shall be liable to a fine not exceeding five hundred dollars, or work on the public works for a term not exceeding thirty days. Sept. 3, 1888
Penalty.

SEC. 1065. From the surveys recently made for a new city map, the City Engineer devise a system of numbers for streets and houses; that all the numbers which are consecutive remain intact, and from a point where the first gas occurs beyond the fire limits, the spacing of distances be extended to the city limits in every direction. Provides
for system
of house
numbering

SEC. 1066. That each owner or occupant of a house, or part of a house, apply to the City Engineer for the proper number to his or her house, for which the applicant shall pay a fee of 25 cents, which the Engineer shall turn into the hands of the Clerk. Numbers—
how
obtained.

SEC. 1067. That the numbers be so arranged as to change as few numbers on houses that are now numbered as possible, but the un-numbered houses shall be numbered as early as conveniently can be, conforming as near as practicable to the houses already numbered. Where two houses on the same street have the same number it shall be in the discretion of the City Engineer to determine which is the proper number. Discretion
of Engine'r

SEC. 1068. The owner or occupant of any house shall have the right to determine the form, size, material and location of such numbers, except they shall be inscribed or affixed in a conspicuous place; but such owner or occupant shall obtain from the City Engineer the proper number. Owner's
privilege.

SEC. 1069. Any owner or occupant of a building who shall affix or retain any number contrary to this ordinance and direction of the City Engineer, for one week after being notified to change the same, shall, on conviction thereof in the Recorder's Court, be fined in a sum not exceeding one hundred dollars, or imprisoned not exceeding thirty days, one or both, in the discretion of the court. Penalty.
Feb. 1. 1886.

SEC. 1069 (a). *Be it ordained by the Mayor and General Council of the City of Atlanta,* That all houses fronting on the various streets and alleys in the City of Atlanta shall

be numbered by or under the direction or supervision of the City Engineer, and that this be done without any charge to the owners of the property already improved.

2. That in making the surveys necessary to this renumbering, the plats of such surveys shall also indicate the proper numbers for the houses to be hereafter erected on property now vacant, and persons improving such property shall number it at their own expense in accordance with section 1066 of the City Code of 1891.

3. In making the surveys the present plan of house numbering shall be observed and followed so far as it is practicable to do so; but streets where numbers run in wrong direction shall have this irregularity corrected. And twenty-five feet front shall be the space required for a number, except where the present condition of the property requires a number for a less or smaller frontage.

4. That sections 766 to 770, inclusive, of the City Code of 1886, as amended by this ordinance, and except so far as in conflict herewith, are continued in force; and the fire limits having been extended and gas lighting abandoned, so much of section 766 of the Code (1866) referring thereto is inapplicable to this work.

5. That after the houses are renumbered, as hereinbefore provided for, and plats are made showing proper numbers for houses to be erected on property now vacant, it shall be unlawful for any owner, agent, or occupant to have any house in said city improperly numbered, or without a number; and any person, whether owner, agent in charge of or occupant of such house, who shall knowingly have the same or allow the same to continue improperly numbered, or to remain without a number, for the space of ten days after the beginning of such ownership, agency, or occupancy, shall, on conviction thereof in the Recorder's Court, pay a fine of not exceeding one hundred dollars, or be imprisoned in the station-house or public works not exceeding thirty days.

SEC. 1070. Marietta street, commencing at the incorporation line of said city, on the east side of said street, and running southwardly in a straight line with Payne's line, is hereby opened and widened on the west, so as to be fifty feet wide, and said street shall thence continue in a straight line with Payne's and Mill's fences, of said width, until it intersects with what is now known as Marietta street, and thence fifty feet until it intersects with Walton street.

Marietta
street
widened,
July 3, 1866.

SEC. 1071. From and after the 8th day of May, 1863, the name of Pierce street shall be changed to the name of Decatur street, and that portion now known as Decatur street, from Pratt street to the Georgia railroad, shall be known as and take the name of Shipley street; and the name of Payne street shall be changed to Marietta street; and the name of Cobb street shall be changed to Hunter street; and the said streets shall be hereafter known in the plan of the City of Atlanta by the names hereby given them. The name of Wadley street shall be changed to Forsyth street, and the name of Stockton street to Mitchell street.

Change
of names.

SEC. 1072. Whitehall street, in said city, from the railroad crossing to the junction of Marietta and Decatur streets, shall be sixty feet wide, and no less; and the name of that portion of said street shall be changed to Peachtree street.

Whitehall
street.

SEC. 1073. That portion of Pryor street heretofore obstructed by the Macon and Western railroad depot is re-opened, so that said street shall extend uninterruptedly from Alabama street to Decatur street of the same width as the remaining portion of said street.

Pryor
street.

SEC. 1074. The following named alleys are hereby changed into streets, bearing the following names, to-wit:

Alleys
changed
to streets.

Jones alley changed into Jones street.

Faith alley changed into Rawson street.

Clarke alley changed into Clarke street.

John's alley changed into Fulton street.

Henry alley changed into Richardson street.

Mobb's alley changed into Crumley street.

An alley from Peck & Schofield's planing mill, in a northern direction to the corporation line, shall be called Fort street.

All of said streets shall be forty feet wide, the same being widened by taking five feet on each side from the land adjoining said streets.

Bartow
street.

SEC. 1075. The street recently opened, extending from the Western & Atlantic railroad, and intersecting Cain street, shall be named Bartow street.

Width of
streets.

SEC. 1076. All streets hereafter laid out in said city shall not be less than fifty feet wide.

Names
changed.

SEC. 1077. The name of Branch alley is changed to Brotherton street, in honor of W. H. Brotherton.

The name of Racetrack street is changed to Chapel street.

The name of Barracks street is changed to Leonard street.

The name of Trebursey street is changed to Tatnall street.

The name of Mayes alley is changed to Mayes street.

The name of Booth's alley is changed to Hayne street.

An alley running parallel with Hunnicutt and Mills street, from West Peachtree, to a point near Marietta street, is hereby named Baker street.

Peachtree
street.

SEC. 1078. The street heretofore known as Oak street, running from Peachtree street to Ivy street, shall hereafter be known and designated as Peachtree street, and that portion of the street heretofore known as Ivy street, running from the street heretofore known as Oak street to the corporation line, shall be known and distinguished as Peachtree street.

West
Peachtree
street.

SEC. 1079. That portion of the street heretofore known and designated as Peachtree street, running from the junction of Peachtree and the street heretofore known as Oak street to the corporate line, shall be known and designated as West Peachtree street.

Waverly
Place.

SEC. 1080. That portion of East Alabama street, from Loyd to Washington, shall hereafter be known as Waverly Place.

SEC. 1081. That McDonough street, where it intersects Hunter street, running thence southerly to the city limits, be changed and shall hereafter be known and designated as Capitol avenue. Capitol avenue. See 1096.

That the name of Johnson street, in the third ward, be changed to Logan street. Logan street.

That the new sixty feet street donated to the city by Col. L. P. Grant, extending from Fair street to the L. P. Grant Park, be, and the same is hereby, given the name of Park avenue. Park avenue.

SEC. 1082. The street now known as Magazine street, and that part of Cain street, between Marietta street and the W. & A. railroad, be changed to and known as Magnolia street, and that the bridge across the W. & A. railroad, connecting the same, be known as Magnolia bridge. Magnolia street—Magazine and part of Cain changed to Mar. 16, '85.

SEC. 1083. Bree street, in the southeast of the city, is changed to Milledge street. Milledge street.

SEC. 1084. The portion of Collins street, beginning at Decatur street and extending in a northerly direction to its terminus, is changed from Collins street and named Courtland street. Courtland street. Sept. 20, '86.

SEC. 1085. Mills street, in the third ward, from Tennell street south to West Fair street, is changed to Berrien street. Berrien street. Feb. 7, 1887.

SEC. 1086. The name of Pettis street, its entire length, is changed to Logan street. Logan street. Feb. 21, '87.

SEC. 1087. The name of Line street, from Peachtree street to Ivy street was first changed to Exchange Place, and afterwards from Exchange Place to Edgewood avenue. Exchange Place. Nov. 7, 1887. Sept. 3, 1888.

SEC. 1088. The name of Jennings alley is changed from Jennings alley to Jennings street. Jennings street. Nov. 21, '87.

SEC. 1089. The alley situated between Fulton and Richardson streets, and running from Frazer to Martin streets, shall be called Hammock street. Hammock street. Dec. 19, '87.

SEC. 1090. That the name of that portion of Foundry street between Marietta street and Luckie street be changed to West Harris street.

SEC. 1091. That the name of that portion of West Harris street as heretofore known, between Marietta and Luckie streets, be changed to Earl street.

SEC. 1092. That the name of the street now known as Gate City street, be and the same is hereby changed to Smith street.

SEC. 1093. That the street running from Decatur street to Gartrell street, running parallel with and between Fitzgerald and Antionette streets, be and the same is hereby named and designated Deroy street.

SEC. 1094. That the ordinance, passed by this body on November 5th, 1888, changing the name of Cox street to Mayer street, be amended by striking out Mayer street and inserting in lieu thereof Linden street.

SEC. 1095. The street graded by the city, connecting Garnett street with Pulliam street, shall be named Garnett street.

SEC. 1096. That portion of East Mitchell street from Washington street to Capitol avenue, and that portion of Capitol avenue between Hunter and Mitchell street, shall be known in the plan of said city as Capitol Square.

SEC. 1097. WHEREAS, All the property owners residing on South Bell street, between Bell street bridge and East Hunter street, as appears from petition hereto attached, desire that the name of that portion of said South Bell street be changed to Hill street; therefore,

Be it ordained by the Mayor and General Council of the City of Atlanta, That the name of South Bell street, between Bell street bridge and East Hunter street, be and the same is hereby changed to Hill street.

SEC. 1098. From and after the passage of this ordinance, the name of Anderson street—a portion of which is now occupied by the Metropolitan Street railroad—shall be changed to Georgia avenue.

SEC. 1099. From and after the passage of this ordinance, it shall be unlawful for any person to write, print, paint, or paste any letter or letters, or other advertising devise upon the sidewalks of the City of Atlanta, or upon the walls, windows, doors or fence of another without the consent of the owner. Any person violating this ordinance shall, on conviction before the Recorder's Court, be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court.

Painting,
etc., on
sidewalks
and
windows
prohibited.
Dec. 3, 1888.

Penalty.

SEC. 1100. Blackman street, from Forest avenue to Jackson street, shall be changed to Summit avenue. Morris street from Jackson street to city limits shall be changed to East avenue.

Summit
avenue.
East ave.
Jan. 23, '91.

SEC. 1101. Peters from Forsyth east to junction with Fair, is hereby changed to Trinity avenue.

Trinity ave
Mar. 5, 1891

1101 (a). The name of Calhoun street is hereby changed to Piedmont avenue.

SEC. 1102. The brick sidewalks on Ponce de Leon avenue be laid so as to leave a grass plat of four feet between the brick and the curbing.

Ponce de
Leon ave—
Sidewalks.
Sept. 17, '90.

SEC. 1103. No person shall excavate any street for the purpose of laying sewer, gas, or water pipes, or for any other purpose, until said person shall have executed a bond with good security, to be approved by the Commissioner of Public Works, conditioned to pay the City of Atlanta any damage it may sustain by reason of said excavation.

Excava-
tions—
Bond
required.
Dec. 2, 1889.

SEC. 1104. All parties who enter the streets and sidewalks of the city for the purpose of laying pipe of any description, and who has an occasion to cut through the curb-stone are hereby required to cut a circular hole the size or dimension of the pipe through the curb-stone, and on failure to comply with this ordinance that they be fined in a sum not less than twenty-five dollars nor more than one hundred dollars, or imprisonment for more than thirty days, either or both, in the discretion of the court.

Must cut
holes
through
curbstone
to lay pipes
Oct. 8, 1889.

Excavations, etc., bond required to keep in repair six months.

April 23, '91

SEC. 1104 (a). Section 1 of the ordinance regulating excavations in improved streets, adopted January 16th, 1888, is amended by striking out the language beginning with the word "deposit" in the 6th line of said section, as printed in the supplement of 1889 to the City Code of 1886, to and including the word "completed" in the 10th line of said section and inserting instead thereof the words "file bond in a sum sufficient to cover the expense of relaying said improvements so excavated and of keeping them in good repair for six months after they are relaid, except that plumbers shall file a bond to cover the cost of relaying and keeping in repair for six months after relaying all excavations made by them during the year; the amount and security of each bond to be judged of by the Commissioner of Public Works." Section 2. That section 3 of the ordinance aforesaid be amended by adding at the end of said section the words, "and in the event said pavement shall settle within six months from the completion of the said work, said Commissioner shall have such pavement relaid and collect the expense thereof from the party to whom permit to excavate was issued."

Notify Chief Fire Department of work in streets.

SEC. 1105. It shall be the duty of all persons doing any kind of work on the streets of this city, such as paving, laying sewers, sidewalks and curbing, moving buildings, or any other work that in any way obstructs the free passage of the same, to notify the Chief of the Fire Department of the same before such work is commenced and on the completion of the same.

Penalty.

SEC. 1106. Violation of this ordinance shall be punished, upon conviction before the Recorder, by a fine of not over one hundred dollars, or imprisonment for thirty days, or both.

THE ORDINANCE FOR GRANITE BLOCK PAVING AND CURB-
ING.

SEC. 1107. *Be it ordained by the Mayor and General Council of the City of Atlanta*, That the proposition of Venable Brothers for furnishing and laying curbing for said city for the five years of 1891, 1892, 1893, 1894 and 1895, and for furnishing and laying granite blocks for said city for the term of five years, commencing with the expiration of the present contract between the city and S. H. Venable for said granite block paving work—being for the years 1892, 1893, 1894, 1895 and 1896, besides the year 1891, as hereinafter provided for—be accepted as follows:

Proposit' n
of Venable
Bro's. for
curbing
and paving
accepted—
for 1891
to 1896
inclusive.

SEC. 1108. The price to be paid for furnishing and laying granite curbing, under specifications as heretofore furnished and laid in the City of Atlanta, is thirty-five cents per lineal foot; and said Venable Brothers are to allow the owners of abutting property the privilege of paying for the furnishing and laying of said curbing, at the option of such owners, as follows: Twenty-five per cent. in cash within thirty (30) days after the completion of the work and presentation of bill for the same, and twenty-five per cent. each year for three years thereafter, with interest at seven per cent. per annum on all such deferred payments until paid. The price to be paid said Venable Brothers for furnishing and laying said granite block pavement, under the specifications now of force with reference to such granite block paving in Atlanta, is \$1.49 $\frac{3}{4}$ per square yard; and said Venable Brothers are to receive from the city the one-third, or amount to be paid directly by the city, under the present laws, in cash on estimates as the work progresses, and on final estimates. Said Venable Brothers shall allow abutting property owners to pay their proportion as follows, at their option: Twenty-five per cent. in cash, within thirty days after the work is completed and the presentation of bills for the same, and twenty-five per cent. each year for three years thereafter, with interest at seven per cent. per annum on all such deferred payments until paid: *Provided*, that in the

Price of
curbing 35
cents per
lineal foot.

Property
owners
may pay all
cash or 25
per cent
cash and
balance in
1, 2, and 3
years with
7 per cent
interest.

Granite
blocks
\$1.49 $\frac{3}{4}$ per
square y'd

City to pay
its $\frac{1}{3}$ of
cost of pav-
ing in cash,
and so of
Street R. R.
companies.

But abut-
ting own'rs
to have
same
option as
in case of
curbing.

matter of curbing and granite block paving, the abutting property owners shall have the privilege of paying all cash within thirty days after the completion of the work, and presentation of bill for the same, should any such property owner so prefer.

Bills or *fi. fas.* to be transferred to contractors who release the city and look only to abutters

SEC. 1109. Until legislation by charter amendment is obtained authorizing the City of Atlanta to transfer to the contractors for the work all bills for curbing and granite block paving for collection by such contractors, and on the instalment basis as above indicated, S. H. Venable, who is the present contractor for granite block paving, and Venable Bros., hereby agree to take from the city the amount of all such curbing and granite block paving bills after *fi. fa.* has been issued for the same, and take a transfer of all such *fi. fas.* under the present law authorizing the same, and then allow the abutting property owner thirty days after the presentation of such *fi. fa.* within which to make a payment of twenty-five per cent. on the same, or to pay the whole of such *fi. fa.* should such property owner so prefer.

Option of property owners to pay cash or instalments

SEC. 1110. But said Venable Bros. shall give to such property owner the right to pay such *fi. fa.*, or the amount thereof, by paying twenty-five per cent. of the same, within the time after presentation of the same, as above provided, in cash, and to pay twenty-five per cent. of the same for each of the three years thereafter, at seven per cent. interest per annum on all such deferred payments, and said city shall in no event be liable to either S. H. Venable or to Venable Bros. for bills or *fi. fas.* against property owners or street railroads or street railroad companies.

City not liable for property owner's *pro rata*.

SEC. 1111. Until such legislation as is desired by said city as above indicated can be obtained, the usual and ordinary machinery of said city government provided by law in cases of transfer of *fi. fas.*, shall be afforded said Venable Bros., as to all *fi. fas.* which they shall pay off and take a transfer of as above stated. But said city shall in no event

be liable on any such *fi. fa.* after the same has been transferred to said Venable Bros., or to S. H. Venable.

SEC. 1112. Should the desired legislation be obtained, then the usual and ordinary machinery of the city government as may be reasonably and legally provided in such new legislation, shall be afforded said Venable Bros. in all matters relating to the collection of their bills against property owners for curbing and granite block paving, but said city shall in no event be liable on or for any such bill for the proportion of property owners for either curbing or granite block paving; but said Venable Bros. and S. H. Venable, shall look solely to such property owners for the same, and to any lien in their favor on abutting property. And all provisions in the contract to be entered into providing for transfer of *fi. fas.* to said Venable Bros., and to transfer of curbing and paving bills to them shall apply to *fi. fas.* and bills against street railroads and street railroad companies, the same as in cases of abutting property owners in all respects, except as to payment by instalments as to street railroads and street railroad companies.

Machinery of government to be used by contractors in collecting transferred bills, etc.

Street railroads not to share of benefits in instalment payments.

SEC. 1113. S. H. Venable, who has the present contract with said city for granite block paving, and who is a member of the firm of Venable Bros., with whom the city is now contracting, is also to contract and agree that all work heretofore done the present year, or that may be hereafter done under said granite block paving contract with him during the present year shall be considered and treated as done under this contract, so far as relates to payment by instalments, and transfer of *fi. fas.*, except as hereinafter provided.

S. H. Venable to merge existing contract for granite paving in this contract.

SEC. 1114. Should the city obtain the legislation which it desires for making the payment for granite curbing and granite pavement, by instalments more efficient, said city will endeavor to obtain the same in substance as indicated herein, but without further specifying in detail as to the same, and in such legislation will endeavor to have enacted a reservation to the contractor or contractors taking the

Legislation to be obtained to make instalment payments efficient.

And to preserve the lien for paving, etc., to the contractors

bills for such work, and looking only to the abutting property and abutting property owners, and to street railroads and street railroad companies for payment, the continuance of lien on such abutting property and such street railroads and street railroad companies, in favor of such contractor or contractors, the same as now exists by law in favor of said city, except that instalment payments shall not apply to street railroads.

City may put down other kinds of curbing or paving—directly or by contract.

SEC. 1115. The City of Atlanta, in this agreement, expressly reserves the right, directly or through its own officers and agents, to lay curbing and street pavements out of any other or different materials to those hereinabove provided for, or to contract with others for laying such other and different pavements.

Inst'l'm'ts to be made applicable to bills or *fi. fas.* transferred

SEC. 1116. If legislation is obtained making it applicable in such cases, then payments by instalments shall apply to all bills for curbing and granite block pavement as to abutting property owners for all curbing and granite block paving done in 1891, whether *fi. fa.* has been issued for the same, or whether the bills or accounts for the same are still open, without having been carried to *fi. fa.*

Bond to be given for \$100,000.

SEC. 1117. Said Venable Brothers shall execute to the City of Atlanta bond, with good security, to be approved by the Mayor, in the sum of \$100,000.00, for the faithful carrying out of their contract for furnishing and laying curbing, and for furnishing and laying granite block pavement, in accordance with the contract and agreement for the same.

Contract to be made by the Mayor, by Venable Bro's. and by S. H. Venable.

SEC. 1118. His Honor, the Mayor of the City, is hereby authorized and directed to execute for and in behalf of said city a contract in accordance with the foregoing provisions with said Venable Brothers, and said S. H. Venable shall also in writing sign said contract, before the same shall have any force or effect.*

* The contract was made and is of force.

CHAPTER LII.

STREET RAILROAD COMPANIES.

SECTION.

- 1119. Conform to surveys.
- 1120. Maintain streets.
- 1121. Charges for fare.
- 1122. Tax exemption of Atlanta Street R. R. Co.
- 1123. Numbers on cars.
- 1124. Not use bells near churches on Sundays.
- 1125. Rate of speed regulated.
- 1126. Paving streets.
- 1127. Rules for car companies.
- 1128. Street grades furnished.
- 1129. Duty of companies as to grades.
- 1130. Penalty for refusal to pay fare.
- 1131. Penalty for obstructing platforms of cars.
- 1132. Penalty for interference with track.
- 1133. Change of radius at Washington and Jones streets.
- 1134. Repair of streets and sidewalks occupied by tracks.
- 1135-1139. Regulating grant of street railroad franchises.

SECTION.

- 1135. Enacting clause.
- 1136. Right reserved to grant franchises to other companies.
- 1137. This reservation to apply to all companies already exercising franchises if they apply for additional privileges.
- 1138. Penalty for laying tracks without authority.
- 1139. Ordinance extends to all companies—when.
- 1140. Speed of cars—and stops at crossings.
- 1141. Heavier grade gives right-of-way.
- 1142. Slack when frightening horses.
- 1143. Penalty for violating this ordinance.
- 1144. Must pay for eleven feet of paving.
- 1145. Electric car companies must have guard wires.
- 1146. Poles to be painted.
- 1147. Poles may be set without application for permit—when.

SECTION 1119. It shall be the duty of street railroad companies to conform to the surveys, regulations and grades ^{Conform} to surveys. as they are now, or may hereafter be, established by law or an ordinance of the City of Atlanta. They shall submit all proposed plans, courses, styles of rails, and the manner of laying the same, to the Street Committee, for their approval and sanction, which shall be obtained before they proceed to break ground, or occupy any of the highways aforesaid.

SEC. 1120. The said railroad companies shall be at the entire cost and expense of the maintaining and repairing ^{Maintain streets.} that may be necessary upon any road, street, avenue or alley, occupied by them, for the width required. It shall also be the duty of the company to clear the streets, or other public highways that they may occupy, of any obstructions placed upon them by said company, when the same impedes the trade upon such highway; and for any neglect on their

part to do so for a period of three days, they shall be punishable by a fine of twenty dollars for each offense, upon complaint of five citizens on oath or affirmation.

Charges
on road.

SEC. 1121. The charges for passage on said roads shall not exceed twenty cents for any through line, and ten cents for half lines or short distances.

Tax—
exempt
from.

SEC. 1122. The road, rolling and live stock of said company* are hereby exempted from taxation for the term of fifty years.

Numbers
on cars.

SEC. 1123. It shall be incumbent on all street car companies, before placing cars on their road, to have the number painted on some conspicuous place on each car, and any omission or neglect to comply with this provision shall be punishable by a fine of ten dollars.

Street car
bells not
used near
churches
during
worship on
Sabbath.

Sept. 5, 1887

Penalty.

SEC. 1124. It shall be unlawful for any agent, officer or employee of a street car company to use bells on any animals, or street cars, within fifty yards of any church on the Sabbath day during divine worship, and any person so offending, on conviction thereof in the Recorder's Court, shall pay a fine not to exceed one hundred dollars, or be imprisoned not to exceed thirty days, either or both, in the discretion of the court.

Rate of
speed
regulated.

Jan. 6, 1890.

Penalty.

SEC. 1125. The running speed on street railroad shall not be at a greater rate than six miles an hour within a radius of one-quarter of a mile from the northeast corner of the Union Passenger depot, and not greater than fifteen beyond said radius, and never to be greater than six miles at any street crossing. Any person violating this shall be fined not exceeding one hundred dollars, or imprisoned in the calaboose not exceeding thirty days.

Macadam-
izing
streets.

SEC. 1126. Said companies shall be required to macadamize or pave the width of the track, and for three feet on each side of every line of track in cases of necessity, to be judged of by the Committee on Streets; they shall be governed in locating the tracks by the Street Committee,

* Atlanta St. R. R. Co.

nor shall they locate any track without the consent of said committee, or a majority thereof.

SEC. 1127. The Mayor and Council of the City of Atlanta hereby reserve to themselves the right, in conjunction with the President and Directors of said companies, to make all needful rules and regulations for the government of said companies. Rules for company.

SEC. 1128. When any street railroad company shall apply for permanent grades of any street on which it is proposed to construct a street railroad, it shall be furnished with both the surface and permanent grade, and said company or companies may occupy either the surface, intermediate or permanent grade. Grade furnished.

SEC. 1129. When the said company or companies shall occupy either the surface, intermediate or permanent grades the said company or companies shall, at their own cost and expense, place the said street and sidewalks, and all adjacent cross-streets, lanes and alleys, in as good condition as they were before they were so occupied, and be held liable for any damage accruing to property holders. Duty of as to streets.

SEC. 1130. Any person who shall enter any of the cars of any street railroad company for the purpose of riding therein, and who shall fail or refuse, on request, to pay the usual and proper fare or charge for the same, with intent to defraud the said street railroad company, shall, on conviction, be subject to a fine not to exceed ten dollars and costs, or imprisonment for ten days, one or both, in the discretion of the court. Refusal to pay fare. Penalty.

SEC. 1131. Any person not being a regular passenger on such car or cars, who shall obstruct or occupy the platform of such car or cars, either by standing upon, leaning against, or swinging to the same, shall, on conviction, be subject to the same penalty prescribed in the foregoing section of this ordinance. Obstructing platform.

SEC. 1132. It shall not be lawful for any person willfully to place any obstruction on the track or road-bed of any line of any street railroad company located or running in or Interference with track.

through the said City of Atlanta, or unnecessarily to interfere with, or obstruct the free passage of any car, or to endanger the safety of any car, or any person in any car, running in or through the City of Atlanta, by willfully allowing their vehicles to remain on or about the track of said railroad company, or by any other careless, negligent or willful means whatever. A violation of this section shall subject the offender, on conviction, to a fine not exceeding ten dollars, or imprisonment not longer than ten days.

June 5, 1876

Penalty.

Atlanta
Street
Railroad.

SEC. 1133. That an ordinance heretofore adopted by this body requiring the Atlanta Street Railroad Company to change the radius at the intersection of Washington and Jones streets from a fifty feet to a forty feet radius, and to pave between its tracks and for three feet on either side of said tracks on Jones street, and for other purposes, be, and the same is hereby amended as follows, viz: That in reducing said radius, said Atlanta Street Railroad Company shall so conform to Washington and Jones streets at their intersection as not to occupy or obstruct any portions of the sidewalks on Jones street and Washington street. *Be it further ordained*, That the requirements of the ordinance of which the foregoing is amendatory, and this amendment thereto be enforced.

April 21, '84

Street
railroads.

Duty of.

May 5, 1884.

Must
repair
track.

SEC. 1134. That from and after the passage of this ordinance, the street inspector, or person appointed by the Commissioner of Public Works, be directed to notify the several street railroad companies now, or hereafter, doing business in the City of Atlanta, what parts of the sidewalks or streets of the city crossed or used by such street railroad companies are out of repair on account of the tracks or running of the cars of such street railroad companies, or from the manner in which said street railroad is built and operated on the public sidewalks and streets of the City of Atlanta, and such street railroad company failing, on five days' notice, to keep and put such sidewalks and streets so crossed or used by such street railroad company, in good, smooth, passible condition, it shall be the duty of the

Commissioner of Public Works to prevent such street railroad company from crossing, or using street or sidewalk so out of repair and not in good, smooth, passable condition on account of such street railroad company until the same can be properly repaired and placed in good condition for pedestrians or vehicles, which shall be done by the Commissioner of Public Works, and the cost of such work shall be estimated by the Commissioner of Public Works and returned to the Clerk of Council, who shall issue execution therefor against such street railroad company, and place the same in the hands of the Marshal, who shall collect and levy the same on any property of the street railroad company as usual in such cases for sales under city tax *fi. fas.*

City may do so.

Clerk to issue *fi. fas.*

AN ORDINANCE TO REGULATE GRANTING FRANCHISES TO STREET RAILROAD AND STREET CAR COMPANIES.

SEC. 1135. *Be it ordained by the Mayor and General Council, and it is hereby ordained by authority of the same,* That from and after the passage of this ordinance—

Enacting clause.

SEC. 1136. That the Mayor and General Council of the City of Atlanta, in granting franchise to street railroads and street car companies of whatever motive power, reserves the right to grant a franchise to another company or companies, when, in their judgment, the public interest and welfare is subserved thereby, over any part of any street or streets, not to exceed three blocks, or 1200 feet, upon the petitioning party or company paying a *pro-rata* part of the original cost of construction, and a *pro-rata* part of keeping up in good repair of that part of the road-bed used by them jointly.

Reservation of right to grant franchises to other companies.

New company to pro-rate expense.

SEC. 1137. *Be it further ordained,* That any street railroad company or street car company, of whatever motive power, having the franchise granted prior to the passage of this ordinance, and petitioning the General Council for

This reservation to be made applicable to all companies asking additional privileges.

additional privileges or amendments as regards power, or additional streets, or any other material change, agree to the provisions of the foregoing section, otherwise any material addition or amendment shall be denied to any such street railroad or street car company.

Penalty for
laying
tracks
without
authority.

SEC. 1138. Any street railroad company, its servants or agents who, without authority from the Mayor and General Council, shall lay any tracks on any street or portion of a street, or shall displace any permanent improvement for making repairs, without written authority from the Commissioner of Public Works shall, upon conviction thereof, be fined not more than five hundred dollars for each offense, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court.

Extends
to all
companies.

Jan. 6, 1890.

SEC. 1139. This ordinance is construed and hereby made a part of the agreement on the part of the City of Atlanta, against any individual company or corporation who may petition to extend railroad lines, or for any material privileges or changes, or to construct new lines through any street or part of a street in said city.

\$5000 each
for street
railroads
to cross
Broad
street
bridge; and
also help
keep it in
repair.

May 21, '91.

SEC. 1139 (a). Every street railroad company crossing Broad street bridge with its tracks or cars, shall be required to pay into the city treasury the sum of five thousand dollars for the privilege of crossing said bridge, and shall thereafter be required to pay such proportion of the expense of keeping said bridge in good repair as may be just and proper in the judgment of the Mayor and General Council in office at the time when such repairs are made.

Not to ex-
ceed four
miles an
hour at
crossings,
etc., and to
stop at
such places

SEC. 1140. That one week after the passage of this ordinance it shall be unlawful for any street car, electric, horsepower, or otherwise, to run over any street-crossing, or at an intersecting street, at a greater speed than four miles an hour, and without giving warning by repeatedly ringing a bell or gong.

Line hav-
ing heavy
grade has
right of
way, but
must stop.

SEC. 1141. That when two roads or tracks cross each other it shall be the duty of the persons in charge of the motive power of the cars to come to a stand, to see that the

crossing is clear. In cases of heavy grades the line having the heavy grade shall have the right-of-way, and be governed by section 1103 of this Code.

SEC. 1142. That when an engineer, or party in charge of the motive power of any car, shall see that his car is the cause of frightening horses attached to vehicles, it shall be his duty to slacken his speed and cease the cause of fright as much as possible, and give the party driving the horses an opportunity of getting off the street at the first crossing. In case of damage to life or property, that party in charge of the motive power of the car is to be held responsible, for it is clearly his duty to keep a close watchout as to what is going on in front of his car.

SEC. 1143. Any engineer or person in charge of the motive power of any car violating any of the provisions of this ordinance, shall, upon conviction before the Recorder's Court, pay a fine of not less than ten dollars and cost, or be imprisoned not less than ten days upon the public works; and any manager or agent in charge of any line of street railroad in this city, who shall give or cause to be enforced orders in conflict with the provisions of this ordinance, shall, upon conviction before the Recorder, pay a fine of not less than twenty-five dollars, or serve not less than twenty-five days upon the public works.

SEC. 1144. In all cases where a street railroad company shall desire to place tracks on any street which has already been paved, such street railroad company shall first pay into the City Clerk, the cost of paving such street, the width of eleven feet thereof being the space between the track, and for three feet on each side thereof, and said City Clerk shall pay of said amount so paid into abutting property owners the *pro-rata* to which they are entitled.

SEC. 1144 (a). Section 1144 of this Code is hereby amended so far as it may apply to the laying of a second track by the same company on the same street; such second track shall not make any company laying it liable for Belgian blocks, or other improvements already made, but

Slacken speed in case of frightened horses, etc.

Penalty for violating this ordinance or directing such violation.

To pay for 11 feet of streets paved before franchise granted.

Abutters to receive their *pro rata*.

June 20, '89.

Second track of street railroad company on same street free.

May 20, '91.

the blocks or other improvements shall be replaced after said second track is laid, in condition acceptable to the City Engineer.

Guard
wires to be
erected.

SEC. 1145. Street railway companies using electricity as a motive power with an overhead system of wires, shall erect and keep in good repair a guard wire (of not less than No. 6 gauge) tightly strung two feet above the wire or wires used to convey the current to the car motor.

Poles to be
painted.

June 5, '90.

SEC. 1146. All companies or corporations having poles erected on the streets or sidewalks shall be required to have the name of said company or corporation stamped or printed on each pole.

Allowing
persons to
set posts
without
applying
to Commis-
sioner of
Public
Works.

May 6, 1889.

SEC. 1147. It is the sense of this Council that persons who are setting posts at the edge of sidewalks for the purpose of building fences, will not be required to apply to the Commissioner of Public Works for a permit to do so, but may remove the brick necessary to set said posts, and replace same after being set. The work of replacing to be done in a proper and workman-like manner, and if not so done, then the Commissioner of Public Works shall have it done at the expense of the property owner.

CHAPTER LIII.

CITY COMPTROLLER.

SECTION.

1148. How appointed and confirmed.
 1149. Term of office—two years—unless removed for cause.
 1150. Oath, bond and salary.
 1151. Books and accounts to be kept.
 1152. All receipts to be countersigned by.
 1153. Officer giving receipt must have it so countersigned.
 1154. No warrant to issue until Comptroller audits claim.
 1155. May require sworn evidence as to justice of claims against city.
 1156. { Office hours.
 { Auditor to aid Comptroller—
 { when.
 1156(a). Water receipts.
 1156(b). Rents due city collected by Clerk.

SECTION.

- 1156(c). Departments of appropriation and expenditures.
 1156(d). Duplicate bills required.
 1156(e). Manner daily reports.
 1156(f). When ordinance went into effect.
 1157. Furnish statements of vouchers and warrants at each regular meeting of Council.
 1158. Must keep record of officers' fees.
 1159. Preamble of ordinance requiring estimates.
 1160-1. Departments, etc., must file estimates in April and December.
 1162. Apportionments not to be exceeded by expenditures.

SECTION 1148. The City Comptroller shall be appointed by the Mayor, subject to confirmation by the General Council by a two-thirds vote of the members present at a regular meeting thereof.

Appointed by Mayor and confirmed by General Council by $\frac{2}{3}$ vote.

SEC. 1149. At the first regular meeting of the Mayor and General Council in May, 1889, the Mayor shall communicate to the General Council the nomination of a person for said office. The person first appointed and confirmed as City Comptroller shall serve until the first regular meeting of the Mayor and General Council in April, 1891, and until his successor is appointed, confirmed and qualified, unless sooner removed by Mayor for cause. All subsequent appointments shall be for a term of two years, with the same right of removal by the Mayor for cause.

Term from May, 1889, to April, 1891—Afterwards terms of two years each.

Mayor may remove for cause.

SEC. 1150. The City Comptroller shall be paid a salary of three thousand dollars per annum. He shall qualify by taking an oath for the faithful performance of his duties, and by giving a bond to said city in the sum of five thousand dollars with good securities, subject to approval

Salary, oath and bond.

by the Mayor, conditioned for the faithful performance of his duties.

Duty to keep general set of books covering all receipts and disbursements of city.

SEC. 1151. It shall be the duty of the City Comptroller to open and keep a general set of books for said city, and to keep regular and correct accounts showing the financial transactions of the city, which shall embrace an account of all receipts and disbursements of money by said city, and separately and under proper heads each cause or source of receipt, of disbursement, accounts with all persons and all city officers who have money transactions with said city.

Must countersign all receipts, etc.

SEC. 1152. No warrant or order for the payment of money, license, permit or receipt is issued or given by any officer or agent of said city, shall be valid until presented to and countersigned by the Comptroller.

Officer who gives receipt must have it entered and countersigned by Comptroller

SEC. 1153. It shall be the duty of every officer in said city, in every department thereof, to give receipts to any and all persons from whom they receive any money. Every officer of said city issuing any warrant or order for payment of money, license or permit, or executing any receipts, shall, before delivering the same, present it to the City Comptroller to be entered and countersigned by him.

No warrant to issue until claim audited by Comptroller and *fi. fas.* to be invalid until countersigned by him.

SEC. 1154. No warrant shall be issued by the Clerk of Council in payment of any account, claim or demand of any description until said account, claim or demand has been entered upon the books of the city by said City Comptroller; nor shall any *fi. fa.* issued by the Clerk of Council be valid and of force until the same has been certified by the City Comptroller, as entered upon the books of the city, and charged to the officer to whom said *fi. fa.* is delivered.

May require evidence as to justice of claim.

April 15, '89

SEC. 1155. Whenever a warrant or claim shall be presented to the City Comptroller he shall have power to require evidence that the amount claimed is justly due, and for that purpose may summon before him any officer, agent, or employee of any department of said city, or any other person, and examine him upon oath or affirmation relative to said warrant or claim.

SEC. 1156. The office hours of the City Comptroller shall be from 9 A. M. to 5 P. M. each day, and whenever necessary, on account of the temporary increase of business, the Mayor may direct the Auditor and Recorder to assist the Comptroller.

Office
hours 9 A.
M. to 5 P. M.
Auditor
to assist
when
ordered by
Mayor.

SEC. 1156 (a). The Secretary of Water-works shall make out a book containing the name, amount, etc., each water consumer is due the city; said book shall have two stubs, and both stubs and receipt shall be numbered alike, and when the consumer desires to pay same, the Secretary shall write up the stubs and receipt, verifying same on each stub and receipt. He shall retain one stub to keep his accounts, and turn over the other stub and receipt to the Tax Collector, who shall collect and enter them upon his books. The Secretary shall make daily detailed reports of receipts, also monthly reports so turned over, to the Comptroller, who shall hold the Tax Collector responsible for their collection, and the Tax Collector shall also make daily detailed reports to the Comptroller, accompanied with said stubs for verification. The Tax Collector shall receive credit and the Treasurer debited upon exhibition of receipt of deposit of same, which shall be made daily. The Collector and Treasurer shall also make monthly reports to the Comptroller.

Water
receipts.

SEC. 1156 (b). Rents, etc., due the city and unprovided for in the foregoing, shall be paid to the City Clerk, who is empowered to receipt for same, and shall deposit with Treasurer, and be credited when he presents certificate of such deposit to the Comptroller.

Rents--how
collected.

SEC. 1156 (c). *Be it further ordained*, That in order to keep correct accounts and ascertain the exact amounts expended under different heads in the city government, that the following departments are hereby created, and all warrants upon the Treasurer shall be drawn upon the fund appropriated for that department creating the expenditure; and unless it shall be so stated upon its face, shall not be paid by him.

Depart-
ments
created.

DEPARTMENTS OF APPROPRIATION AND EXPENDITURES.

Appropriations to be made for each department.

1. Department of Mayor.—Salaries; miscellaneous.
2. Department of Council.—Salaries; miscellaneous.
3. Department of City Hall.—Rent; salary messenger, etc.; miscellaneous.
4. Department of Finance.—Bonds; loans; interest and coupons; surplus fund; redemption fund; School of Technology; miscellaneous.
5. Department of Police.—Salaries Commissioners; pay-rolls, Chief, officers, patrolmen, etc.; miscellaneous.
6. Department of Tax.—Salaries Collector, Assessors, Treasurer, Collector street improvement, etc.; miscellaneous.
7. Department of Fire.—Salaries Building Inspectors; pay rolls Chief and men; miscellaneous.
8. Department of Cemetery.—Salary Sexton; pay rolls men; miscellaneous.
9. Department of Sewers.—Paid by city; paid by assessment; miscellaneous.
10. Department of Streets.—Ordinary work; blocks, rubble, etc.; curbing and sidewalks; opening and widening streets; grading by contract; bridges by contract; miscellaneous.
11. Department of Engineers.—Salaries and pay rolls; miscellaneous.
12. Department of Commissioner Public Works.—Salaries and pay rolls; miscellaneous.
13. Department of Water-works.—Salaries Commissioners, pay rolls, etc.; miscellaneous.
14. Department of Street Lights.—Electric Light Company; salary Inspector, etc.; miscellaneous.
15. Department of Wells, Pumps and Cisterns.—Miscellaneous.
16. Department of Law.—Salaries, Attorney, Assistant Attorney, Recorder, Investigator, etc.; settlements, suits and claims; miscellaneous.
17. Department of Parks.—Miscellaneous.

18. Department of Relief.—Salaries Warden and City Physicians; transportation paupers; general relief; donation to hospitals, etc.; miscellaneous.

19. Department of Public Schools.—Salaries Superintendent, teachers, etc.; buildings and repairs; purchase school lots; miscellaneous.

20. Department of City Comptroller.—Salaries and pay rolls; miscellaneous.

21. Department of Bridges.—

22. Department of Sanitary.—Salaries Board of Health, pay rolls, etc.; purchase horses and mules; purchase wagons, etc.; purchase supplies; miscellaneous.

23. Department of Contingent.—Miscellaneous.

SEC. 1156 (d). *Be it further ordained*, That all bills made out against the City of Atlanta for payment shall be made out in duplicate upon bill heads in the department to which it relates, and shall be approved by the official head of that department, the chairman of the committee who has supervision of same, and the City Comptroller. The Mayor, or Mayor *pro tem.*, having satisfied himself of the correctness of the account, shall draw a warrant upon the City Treasurer for the amount of same, when he shall require the duplicate bill and stub of warrant to be signed by the person obtaining payment. The City Comptroller shall then countersign the warrant and require the original account to be receipted, which he shall file away in his office for reference. The City Treasurer is then authorized to pay the warrant.

SEC. 1156 (e). That the City Treasurer shall report to the Comptroller daily and monthly the deposits made with him by collecting officers of the city. He shall also report daily the amounts paid out by him for interest, coupons and bonds, for which he has received no warrant, and also the cash balance remaining daily, with a detailed statement of warrants paid, with number, name and amount of each.

SEC. 1156 (f). *Be it further ordained*, That the provisions of this ordinance shall take effect on and after the first day of July, 1889, and that all officers of the city government of Atlanta effected thereby shall be required to comply with its requirements, and have books, papers, etc., properly prepared by that date, to carry them into effect.

SEC. 1157. *Be it ordained by the Mayor and General Council*, That the Comptroller of the city shall furnish, at each regular meeting of the General Council, and to the Aldermanic Board, a statement of each voucher approved and each warrant drawn, and the consideration for it and the fund on which it is drawn.

SEC. 1158. *Be it ordained by the Mayor and General Council*, That the City Comptroller be required to keep a book of entries of all fees collected by city officers, and that said books be subject to inspection of the Mayor and General Council.

SEC. 1159. WHEREAS, It is necessary, in order that the Mayor and Council may be enabled to make an intelligent and proper distribution of money raised by taxation among the various departments of the city government for their support and maintainance, as the demands of each may severally require, and that each of these departments may be restricted in their disbursements to the amounts apportioned to each of them; that statements of the amounts required by each department be made to the Council for consideration and guidance before the time of making said apportionments; therefore,

SEC. 1160. *Be it ordained by the Mayor and General Council*, That the Board of Education, the Board of Health, the Board of Police Commissioners, the Board of Water Commissioners, the Board of Park Commissioners, the Chief of the Fire Department, and the Commissioner of Public Works, shall each file with the Clerk of Council, to be transmitted by him to the Mayor and General Council, a statement of the amount, as nearly as can be estimated, of maintaining their departments for the year. Said state-

Statements
of vouchers

July 1, '89.

Record of
officers'
fees to be
kept.

Boards,
officers and
depart-
ments
must file
statements
and esti-
mates of
cost of
maintain-
ing depart-
ments in
April and
December
of each
year.

April 2, '88.

ment shall set forth the various objects of expenditure, and specify the sum necessary for each of them.

SEC. 1161. *Be it further ordained*, That each of the above named departments, by their proper officers, are hereby required to file said statements of estimated expenditures with the Clerk of Council the last Mondays of April and December of each year. Estimates required.

SEC. 1162. *Be it further ordained*, That after the apportionments to the various departments above named have been made by the Mayor and Council, the Board of Aldermen concurring, that no bill of expenditure incurred, or authorized by any of said departments, in excess of the apportionment thus fixed, shall be paid by this body.

SEC. 1163. The Department of Bridges is hereby created, and all accounts for expenditure of money for building or repairing bridges shall be made on bill heads against the Department, and shall be paid for from funds appropriated by the Council to this Department; and the City Comptroller is hereby authorized to draw warrants on this department when properly approved, and the City Treasurer is authorized to pay same when signed by the Mayor, as in case of other warrants drawn upon the Treasurer. Department created. Accounts—how kept and warrants drawn. Mar. 20, '91

CHAPTER LIV.

OVERHEAD ELECTRIC WIRES.

SECTION.	SECTION.
1164. Application, plan and approval.	1178. Rules may be added to or modified by city.
1165. Alleys to be used when practicable.	1179. Fire alarm gongs in each power station.
1166. Only one side of street used for main line.	1180. Regulates wires entering buildings.
1167. Power wires kept separate from other wires.	1181-1187. BOARD OF ELECTRIC CONTROL.
1168. Roofs not used without owner's consent.	1181. Creates Board of Electric Control.
1169. Insulated supports and separation of wires.	1182. Inspect construction of electric lines and appliances.
1170. Kinds of insulators which may be used.	1183. Employ Superintendent electrical affairs.
1171. Guard irons and wires.	1184. Superintendent's duties.
1172. How and at whose expense wires kept apart.	1185. Must have a central office, etc.
1173. Ground connections must be detected and remedied.	1186. Penalty for violating this ordinance.
1174. Requires removal of wires, poles, etc., no longer in use.	1187. Ordinance not construed to relieve liability.
1175. Powers reserved by city.	1188. Wires not interfered with without notice to company.
1176. Metallic circuits required.	1189. Penalty for breaking globes or lamps.
1177. All privileges suspended if ordinance not complied with.	1190. Committee on lights, street railroad and electric construction.

Applica-
tion—
Approval,
etc.

SEC. 1164. Applications for permits to set poles must be accompanied by a plan indicating the proposed location of same. Such plan, if approved, may be so approved under modification in minor details, subject to the approval of the City Engineer and committee having such matters in charge.

Alleys
preferred.

SEC. 1165. It shall not be admissible to occupy any main street with new poles or other supports where it is practicable to penetrate any district or supply the occupants of any one square by erecting such poles or supports in the alley-ways.

Only one
side of
street used
for main
line.

SEC. 1166. The poles of a main line on any street must be confined to one side of the street, unless a special permit to the contrary be granted, and in future construction poles of sufficient size and height shall be used as to admit of all telephone and alarm wires being placed on the same poles—all persons or companies using the poles paying a *pro-rata* part of the construction, according to service. The

city reserves the right to place fire-alarm wires on all poles erected on her streets, alley-ways or public places, without cost.

SEC. 1167. All poles carrying telegraph or electric light and power wires must be placed, wherever possible, on the opposite side the street from telephone and alarm wires.

Power wires to be separated from other wires.

SEC. 1168. Roofs or other parts of buildings must not be used in the support of wires without the consent of the owners thereof properly certified to the City Engineer.

Roofs, etc., not used without consent of owner.

SEC. 1169. All electric light and power wires must be fastened to insulated supports by insulated tie-wires; the use of uninsulated tie-wires is prohibited; all tie-wires must have an insulation equal to that of the conducting wire. Wires must be tightly stretched, and never allowed to sag to such an extent as to be capable of coming in contact with each other, with signs or other neighboring objects.

Insulated supports required, and wires to be well separated.

SEC. 1170. In running along walls all wires shall be rigidly attached to the same by non-conducting fastenings, and shall not hang from projecting insulators in loose loops. All arc light wires shall be placed at not less than one foot, and all incandescent wires at not less than six inches apart, and whenever they approach any conducting body capable of furnishing a ground connection, they must be rigidly secured and separated from the same by some approved non-conductor. The use of porcelain knobs as insulators on the outside of buildings is prohibited, except in dry places, when an approved special insulator must be used on the wires. Wires must not be so placed as to render it easily possible for water to form a cross connection between them.

Kinds of insulators, etc., required.

SEC. 1171. Where angles occur in the line, subjecting the supports to increased strain, guard irons must be placed at the outer ends of cross-arms. Guard wires must also be placed wherever their presence would prevent telephone, telegraph or other wires from coming into accidental contact with electric light, power and trolley wires for electric street railways.

Guard irons and wires.

Second
company
to pay ex-
pense of
raising
wires—
when.

SEC. 1172. Wherever it is necessary for any electric light, power or trolley wires to be run under telegraph, fire-alarm or telephone wires, permission shall be granted to do so, but the company running such wire or wires shall pay the expense of raising the other wires, so that said wires shall not be less than five feet above said electric light, power or trolley wires, to make them entirely safe; and whenever any telegraph, fire-alarm or telephone company wish to stretch wires above any electric light, power or trolley wires, they must cross not less than five feet above said wires. The guard wires above each trolley wire must consist of two wires, not less than No. 9 gauge, and be tightly strung not less than two feet above said trolley wire and twelve inches to each side. The cost of such guard wires and guard irons or change of poles shall be borne by the persons or company making the last construction.

Ground
connec-
tions must
be detected
and
remedied.

SEC. 1173. All circuits shall be provided with some approved device for declaring or detecting ground connections. Tests for grounds shall be made at least three times each day; when a ground connection occurs, it must be found and remedied without delay.

SEC. 1174. Loop wire poles and other supports no longer in use shall be removed.

Powers
reserved.

SEC. 1175. In granting permits to erect poles for purposes of electric light or power, the Mayor and General Council reserve the right—if the interests of the city so require—to authorize other companies or persons to use the same poles for the same purposes, upon the payment to the owner thereof of a proper compensation, to be determined by agreement. All permits will be subject to this condition, and in accepting a permit the applicant binds himself according thereto. This same mode of settlement or agreement applies to telephone, telegraph and other wires, as mentioned in section 2.

Metallic
circuits
required.

SEC. 1176. All currents shall be run with metallic circuits, the return wire of each circuit being brought to the station on the same with and cross-arm on each pole in

order to neutralize the inductive effects, and create as little disturbance as possible on adjacent wires. The Electric Light Company shall have permission to trim trees, subject to the direction of the City Engineer, whenever necessary to clear their wires of escape or leakage, to render them less dangerous to life. Trees are to be trimmed with care, and only when necessary.

SEC. 1177. The provisions of this ordinance are to go into immediate effect, as regards future construction, and all necessary changes in the present construction to meet the provisions of the same to be made by the first day of April, 1890, and any violation or refusal on the part of any person or company to make such alterations and changes in their present or future construction, as may be demanded in conformity to said rules and regulations, shall work immediate suspension of all permits held by the company or persons guilty of such violation or refusal, and in case of persistent violation of requirements, and in case of dangerous necessity, the City Engineer or Committee having such matters in charge is authorized to instruct the police or the inspector to cut out lights or to cut out the current in the locality concerned, and to enforce the discontinuance of all rights until the rules are complied with.

SEC. 1178. In granting permits for overhead electric construction with these rules and regulations, the Mayor and General Council reserve the right to add to or modify said rules and regulations, and if it should prove necessary to have arms or all electric wires placed underground.

SEC. 1179. The Fire Department of the city shall place the station of every electric light or power company at the latter's expense, a suitable gong and indicator connecting with the fire lines, by which shall be indicated the location of all fires. On the breaking out of a fire in any district in which any electric light or power company has wires, such companies shall forthwith send a man prepared to remove the same, under the direction of the Chief of the Fire Department or his assistant.

All privileges suspended in case of non-compliance with ordinance.

Power reserved to modify or add to these rules.

Fire alarm gongs to be placed in each power station.

Jan. 6, 1890.

Entering
buildings.

Feb. 3, 1890.

SEC. 1180. When wires enter a building, they must be encased in continuous pieces of hard, insulating tubing, so inclined as to oppose the entrance of water, and the outer end of this tubing must be sealed with some plastic insulating material in such manner as to exclude all moisture.

Board of
Electric
Control.

SEC. 1181. That a Board of Electrical Control is hereby created, and it shall consist of three members; the chairman of the committee on electric lights and other electrical structures, the City Engineer, and the Chief of the Fire Department; and the chairman of the Electrical Committee of the General Council, shall be chairman of the Board of Electrical Control.

Inspect
construc-
tion of all
electrical
lines, appli-
ances, etc.

SEC. 1182. It shall be the duty of the Board of Electrical Control to inspect, or have inspected, all electrical construction of whatever character, connections inside and outside, with buildings, insulation of wires, and shall have power to order any defective construction repaired, removed, or built, when, in their judgment, life and property will be better protected thereby; and it shall be their duty to see that all laws of force now or that may be hereafter enacted, governing electrical power or construction, are strictly complied with.

Employ
superin-
tendent of
electrical
affairs.

SEC. 1183. The Board of Electrical Control shall have power to employ a competent man, who shall be known as Superintendent of Electrical Affairs, and who shall be under and subject to the orders of the said board. And the salary to be paid the said Superintendent shall not exceed twelve hundred dollars per year.

Duties of
superin-
tendent of
electrical
affairs.

SEC. 1184. It shall be the duty of the Superintendent of Electrical Affairs to look after and keep in proper condition all electrical wires and alarm-boxes used in any department of the city government, and shall inspect all overhead street construction, poles, brackets, cross-arms, etc., all connections inside or outside with buildings, and such other electrical work as may be required of him by the Board of Electrical Control.

SEC. 1185. He shall have a central headquarters, and shall keep a record of all applications to set poles, string wires in streets or houses, etc., whether approved or rejected, and shall immediately inspect all new work and report the same to the board.

To have a central office, etc.

SEC. 1186. That it shall be unlawful for any company or person to set poles, string wires, or make any electrical connections with buildings within the incorporate limits of the City of Atlanta without the permission to do the same from said board; and any company, firm or person, violating this permission, shall, upon conviction before the Recorder, pay a fine of not less than twenty-five dollars, nor more than five hundred dollars, or work not less than ten days, nor more than thirty days, on the public works of the city, or both fine and imprisonment, at the discretion of the Recorder.

Penalty for failing to comply with this ordinance.

May 10, 1890

SEC. 1187. That nothing herein contained shall be construed to relieve any firm or company from liability, or moral responsibility, in case of accident to life or damage to property in the operation of their plant or plants.

Ordinance not construed to relieve liability, etc.

SEC. 1188. It shall be unlawful for any person or persons, in erecting scaffolding or in putting up signs, or in any other way, to cut or interfere with the arrangements of electric wires (telegraph, telephone, etc.,) without first notifying the person or company that the wires to be so interfered with belong to, and if any person or persons handling timber, or having work done about any of said wires should, by accident, cause any of said wires to be broken or disarranged, he shall immediately notify the person or company owning said wires of their condition, and upon neglect to so do shall, upon conviction, pay a fine of not less than ten dollars, or serve not less than ten days on the public works.

Penalty for interfering with wires without notice to the company controlling them.

Jan. 6, 1891.

SEC. 1189. That any person or persons who may in any way maliciously deface or break any of the electric globes or lamps shall, for the first offense, pay a fine of not less than ten dollars, or serve ten days on the public works; for the second offense, pay a fine of twenty-five dollars, or

Penalty for breaking globes or lamps.

Dec. 17, '89.

serve twenty-five days, and for the third and each offense thereafter shall serve not less than thirty days in the public works.

Dec. 16, '89. SEC. 1190. That after this year the standing Committee on Gas and Lamps be abolished, and in lieu thereof that standing Committee on Lights, Street Railroads and Electric Construction in the Streets be appointed, consisting of three members of the General Council.

CHAPTER LV.

TAX COLLECTOR, RECEIVERS AND ASSESSORS.

SECTION.	SECTION.
1191. Tax collector—separate office.	1204. Other books to be kept.
1192. Oath and bond.	1205. Oath of tax receivers as to returns required.
1193. Office where located.	1206. Oath of owners of personalty taxed.
1194. Tax receivers and assessors.	1207. The collector separated from the receivers.
1195. Election and term of office.	1208. Duties of receivers and assessors, and resulting duties of other officers.
1196. Whole time required.	1209. Engineer to make out and number paving bills.
1197. Oaths and bonds.	1210. Bills collected by tax collector who makes daily settlements and reports.
1198. Failure to return—property to be assessed.	1211. He also collects miscellaneous items.
1199. Names of delinquents entered on books.	
1200. Not enter private residences without consent.	
1201. False returns.	
1202. Shall hear proof of values when required.	
1203. Tax digest.	

Election. SECTION 1191. The office of Tax Collector shall be a separate and distinct office, and he shall be elected by the Council at the same time the other city officers are elected, and his duties shall be defined by resolution or ordinance—together with the compensation to be allowed him, and the bond and security to be given—before his election each and every term.

Bond. SEC. 1192. Before the Tax Collector of the City of Atlanta enters on the duties of his office, he shall give bond, with good and sufficient security, in such sum as the Mayor and General Council shall, by resolution, determine, for

the faithful performance of the duties of his office, and take the oath prescribed for other officers.

SEC. 1193. The said Tax Collector shall have his office ^{Office.} at the City Hall, in the room now known as the City Clerk's office.

SEC. 1193 (a). The Tax Collector shall open and close ^{Open and close.} the books for collecting taxes at such time as the Mayor and General Council shall, each year, by resolution, determine, of which he shall give notice through the daily ^{Charter closes books Sept. 20.} papers of the city.

SEC. 1193 (b). The said Collector of Taxes shall make ^{Return to Comptrol'r} a return to the Comptroller, who shall enter the same on his books, and pay over the same to the City Treasurer at least once a day all moneys belonging to the City of Atlanta, and shall do and perform all such duties as are now or may hereafter be designated by the Mayor and General Council.

SEC. 1194. The Mayor and General Council of said city ^{Assessors and receivers.} shall elect three Tax Receivers and Assessors, whose duty it shall be to assess the real estate in said city for taxation, and to receive returns of property, both real and personal, and in cases of failure to return personal property for taxation, or failure to make a true return, or attempted fraud in returning the same, to assess the value of personal property for taxation.

SEC. 1195. One of said Tax Receivers and Assessors ^{Election.} shall be elected to hold his office until July, 1882, and one until July, 1883. Their successors shall be elected and hold their offices for two years, and until their successors are elected and qualified. They shall have such compensation as the Mayor and General Council shall prescribe before their election, which shall not be changed during their terms. They shall take such oath and give such bond as may be required by said Mayor and General Council.*

* May be fixed annually. See Charter.

Whole time given to city. SEC. 1196. The Receivers and Assessors and the Tax Collector of said city shall give their whole time to the service of the city during such business hours as the Mayor and General Council may prescribe during their terms.

Bond and oath. SEC. 1197. The Tax Receivers and Collector of said city shall discharge the duties above specified, in addition to those now required by law, and shall give sufficient bond with sureties, to be approved by the Mayor and General Council, and shall take such oath before the Mayor as the Mayor and General Council may prescribe.

Failure to return. SEC. 1198. If any person fails, neglects or refuses to make a return of his or her personal property, subject to taxation under the charter and ordinances of the Tax Receivers and Assessors, or to truly answer such questions as may be asked, or to submit his personal property for the inspection and valuation of the Tax Receivers and Assessors as provided, then it shall be the duty of the Tax Receivers and Assessors, jointly, from the best information they can get in reference to the amount and value of the personal property owned and possessed by such person, to arrive at the true value of the same and place it upon their books.

Name of delinquents. SEC. 1199. They shall also enter upon their books the name of any person, firm, joint-stock company, or corporation, who shall either fail or refuse to give in their property, and of all they are unable to find, and whom they may believe to be subject to tax on personal property, and of all persons subject to street tax.

Shall not enter private residence. SEC. 1200. In the discharge of the duties above specified, the Tax Receivers and Assessors shall not enter the private residence of any person against the consent of the occupants.

False returns. SEC. 1201. In case of false, fraudulent, or unfair returns, the Tax Receivers and Assessors shall cite the person making the same to appear before them on some day to be fixed by them, within the period mentioned in the fore-

going section, and show cause why the return should not be corrected.

SEC. 1202. Upon any such person so cited appearing before them, they may, and shall if requested, hear evidence as to the real value of the property in dispute, and determine the same. If such person so cited refuse or neglects to appear, his return shall be corrected by the Tax Receivers and Assessors, according to the best information they can get. Shall hear proof.

SEC. 1203. After all the returns are in and corrected, Tax Digest. (where corrections are necessary), the Tax Receivers and Assessors shall enter the same upon the usual Tax Digest of the city, in the proper column of said book.

SEC. 1204. It shall be the duty of the Tax Receivers and Assessors to have prepared suitable books for the purpose of receiving returns as provided in the foregoing sections. Books.

SEC. 1205. The Tax Receivers and Assessors of the City of Atlanta shall take and subscribe before the Mayor the following oath or affirmation: "You do solemnly swear (or affirm) that you will well and truly discharge the duties of Tax Receivers and Assessors of the City of Atlanta, and that you will endeavor, to the best of your knowledge and ability, to obtain a just, full and complete return of all personal property subject to taxation by the charter and ordinances of the City of Atlanta, and also a full and complete return of all persons subject to street duty in said city. And you do further swear (or affirm) that you will truly and correctly administer the oath prescribed by the city ordinance to each and every person making return for taxation, so help you God." Oath of Tax Receivers and Assessors.

SEC. 1206. The following oath (or affirmation) shall be administered to each and every person making returns for taxation to the Tax Receivers and Assessors. "You do solemnly swear (or affirm) that the return which you are about to make shall be a just and true statement of all personal property of every kind which you held or owned on the first day of April (inserting here the year), or were inter- Oath of personal property tax-payers.

Mar. 4, '78.

ested in, either in your own right or the right of any person or persons whomsoever, either as parent, guardian, executor, administrator, agent or trustee, or in any other manner whatsoever, to the best of your knowledge, information and belief. You do further swear that you will correctly answer all questions asked you by the Tax Receivers and Assessors in reference to said return, and that you have not conveyed or assigned to others, or removed out of the city, any property to avoid returning the same for taxation."

Collector and Receiver separate.

SEC. 1207. That the Tax Collector and the Assistant Tax Receivers and Assessors shall be separate and distinct officers, and shall each perform such duties as are hereinafter prescribed for their conduct and observance by this ordinance, and shall be known as Tax Collector and Tax Assessors and Receivers, respectively.

Assessments of real and personal property.

SEC. 1208. The Tax Assessors and Receivers shall assess real and personal property and receive returns for taxes as they do now, for taxation, making three digests, one for use in their office, one for the Tax Collector and one for the Comptroller. They shall make the footings so as to show the amount the Tax Collector shall collect on real estate, personalty, street tax, sanitary assessments, etc., separately, and the Tax Collector shall receipt the Comptroller for same for collection. The Tax Collector shall make daily deposits of taxes collected to the City Treasurer, taking his receipt for the same, and both the Tax Collector and Treasurer shall make daily reports of same to the Comptroller, who shall debit the one and credit the other. The Tax Collector shall also make monthly reports to the Comptroller of the receipts in his office. When the Tax Collector shall have completed his collections on the 20th day of September of each year, he shall turn over his digest to the Tax Assessors, taking their receipt for balance uncollected, who shall examine it and make up three execution dockets from the delinquent tax payers, one of which is to be kept by them, and one delivered to the City Comptroller, and one to the City Marshal. The Assessor shall foot up the amount

of these uncollected taxes upon these dockets, and the City Comptroller shall take receipt from the City Marshal for the same for collection and cancel the City Tax Collector's receipt if found correct. The Marshal shall collect and turn over daily to the Treasurer such collections as he may make from executions issued by the Clerk from the above named book, and the Marshal and the Treasurer shall make daily reports of same to the Comptroller, who shall credit the one and debit the other. The Marshal and Treasurer shall also make monthly reports to the Comptroller. All property purchased by the City at Marshal's sales for city taxes, and insolvent *fi. fas.* also, shall be credited to the Marshal on his execution docket by the Tax Assessor, which shall be turned over to them for that purpose, and report same to Comptroller to be credited on receipt. The Tax Assessors shall then make up three books containing a description of the deeds made by the Marshal to the city, which shall be alphabetically arranged and numbered to correspond with the numbers on the said deeds, one book to be kept by them, one to be delivered to the City Clerk and one to the Comptroller, who shall take a receipt for same from the City Clerk for collection. Collections made on this book by the Clerk to be turned over daily to the Treasurer, taking his receipt for same, and both the Clerk and Treasurer shall report same to the Comptroller, who shall credit the one and debit the other. They shall also make monthly reports to the Comptroller. The Tax Assessors shall also make up dockets as above for all delinquent taxes, either personal or real, or licenses, etc., which shall be receipted for to the Comptroller by the Marshal for collection, and collected in the same manner as in cases of other property set forth above; the Assessors to make a detailed list of insolvent *fi. fas.* for the Comptroller to credit the Marshal's receipt with.

Methods of
collections
prescribed.

SEC. 1209. The City Engineer shall make out all bills for curbing sidewalks, street paving, sewer assessments, etc., which shall be numbered consecutively and entered by him

Engineer to
make out
paving
bills.

in books prepared for that purpose, which he shall turn over to the Comptroller and the bills to the Tax Collectors for collection, and he shall be receipted for by the Tax Collector to the Comptroller.

SEC. 1210. The Tax Collector shall receive credit for collections on above accounts, and the Treasurer be charged with the same upon presentation of daily receipts from the Treasurer. The Tax Assessors shall make execution docket against delinquents under this head as set forth in cases of delinquents for general tax, and the Comptroller shall credit the Tax Collector and debit the Marshal for such *fi. fas.*

SEC. 1211. The City Tax Collector shall collect all miscellaneous items due the city, such as rents, etc., and he is hereby empowered to receipt for the same, and shall deposit with the Treasurer the same day on which they are made, and receive credit therefor upon exhibition of certificates of deposits from the Treasurer.

CHAPTER LVI.

TAX RETURNS.

SECTION.

- 1212. Oath of taxpayer.
- 1213. Penalty for making false returns.
- 1214. Annual tax ordinances passed.
- 1215. Court may send for persons and papers.
- 1216. Vendue masters protected.

SECTION.

- 1217. Double tax imposed—when.
- 1218. Defaulters' digest kept.
- 1219. Demand street tax before *fi. fa.* issues.
- 1219(a). Notices to defaulters must be sent under cover.

Oath of
giver in
of taxes.

See
Sec. 1169.

SECTION 1212. The oath to be administered by the Tax Receivers for the City of Atlanta, shall be as follows, to-wit: "You do solemnly swear (or affirm) that the account which you now give in is a just and true account of all the taxable property which you possessed, held or claimed on the first day of April last, or were interested in or entitled to, either in your own right, or the right of any person or persons whomsoever, as parent, guardian, executor, administrator, agent or trustee, or in any other manner whatever,

according to the tax ordinances of the City of Atlanta, to the best of your knowledge, information and belief; so help you God."

SEC. 1213. Any person who shall knowingly make any false, incomplete or unfaithful returns under these ordinances, shall, on conviction, be fined at the discretion of the Recorder, Mayor, Mayor *pro tem.*, or three members of Council, not exceeding fifty dollars and costs, or be imprisoned in the calaboose or common jail of the county not more than thirty days, in the discretion of the court.

SEC. 1214. The Mayor and General Council shall each year pass such tax ordinances, not contrary to the law, as they may deem proper.

SEC. 1215. In all investigations under these ordinances, where charges of the violation of the same are being tried before the Recorder, Mayor, Mayor *pro tem.*, or three members of Council, he or they shall have power to send for persons and papers, and compel attendance of parties and witnesses, and the production of books, papers and other evidence on the trial.

SEC. 1216. It shall be, and is hereby, made the duty of the Mayor to adopt such measures as he may think best and proper to insure a rigid enforcement of these ordinances. The provisions of these ordinances do not and are not to be applied to sales made by properly licensed Vendue Masters, nor to any property sold under legal process.

SEC. 1217. In case any person or persons, firm or firms, corporation or company, subject or liable under the tax ordinances of the City of Atlanta, that may be passed in and for any year, to make a return or returns of sales or receipts, of any business under said ordinance, shall fail to make said return or returns within the time specified in said ordinance, he, she, it or they shall be assessed at double the amount of the immediately preceding return, and if no return shall have been made, then assessed in the discretion of the Clerk of Council, and in all such cases of default in making returns, or in payment of taxes so assessed, execu-

Persons.
making
false return
—how
dealt with.

Ordinance.

Power of
the court.

Does not
apply to
vendue
masters.

Persons
failing
to make
returns to
be double
taxed, etc.

Execution. tion shall issue and be collected as other executions issued by the authority of the said Mayor and General Council.

Assessors. SEC. 1218. In case of the failure of the owner or agent, trustee, guardian, or person in charge of any property which ought to appear on the tax books, to go to the office of the City Tax Receivers and Assessors and take the oath, and make the returns required by law, the Tax Receivers and Assessors shall keep a digest, to be known as "The Defaulters' Digest," in which all such names, and the amounts returned by them or assessed against them shall be recorded; and it shall be the duty of the Marshal, before settling with them, to require all defaulting tax-payers to go to the office of the City Tax Assessors and Receivers and take the oath and make the returns required by law; and any defaulter, failing to comply with this ordinance, when thus required by the Marshal, shall be subject to a fine of not exceeding fifty dollars, or imprisonment not exceeding twenty days, upon conviction in the Recorder's Court.

Mar. 18, '89.

Defaulters digest.

The Marshal is prohibited from settling with any defaulter before a *fi. fa.* is issued by the Clerk.

Adopted March 18th, 1889.

SEC. 1219. *Be it ordained by the Mayor and General Council,* That no *fi. fa.* be presented for said street tax until a demand be made for payment.

Street tax demanded before *fi. fa.* to issue.

June 12, '89. SEC. 1219 (a). *Be it ordained by the Mayor and General Council,* That hereafter all notices sent by the city officials to tax defaulters by mail, to pay their taxes, whether assessment licenses or otherwise, shall be made under cover and not upon postal cards.

Not send notices on postal card

April 8, '91.

CHAPTER LVII.

TAX SALES.

SECTION.

1220. Tax executions—how issued and signed.
 1221. To be levied by the Marshal.
 1222. Advertisement, sale, and Marshal's fees.
 1223. Notice to owner or tenant.
 1224. Redemption.
 1225. Registry of tax sales to be kept by Marshal.
 1226. Keep file of papers—and books required.

SECTION.

1227. Purchase by city—when and how made.
 1228. Clerk shall keep record.
 1229. Possession, renting, etc.
 1230. Redemption from city.
 1231-1234. Sales after holding one year—how ordered and made.
 1233. Separate sales of lots.
 1234. Quit claim deeds made.

SECTION 1220. In all cases where any person or persons, July 13, '78.
 citizens of the City of Atlanta, or who have property sub-
 ject to taxation within the limits of the same, shall fail,
 refuse or neglect to pay the taxes imposed according to law,
 or ordinance enacted by said city, the Clerk of Council
 shall issue executions for the same, which executions shall
 be signed by said Clerk, and bear test in the name of the
 Mayor, and be entered on the Comptroller's books and be
 directed to the Marshal of said city, commanding him to
 levy on the goods, chattels, lands and tenements of the
 defendants, or so much thereof as shall be sufficient to sat-
 isfy the demand and cost, which execution shall bind all
 the property of the defendant; and the cost thereof shall
 be the same as on Tax Collectors' executions by the law of
 this State.

SEC. 1221. Whenever any *fiery facias* shall issue against
 any person or persons, citizens of said city, or who have
 property subject to taxation within the corporate limits of
 the same, for taxes, in the manner prescribed by the eighty-
 sixth section of the charter of this city, it shall be the duty
 of the Marshal forthwith to levy the same upon the prop-
 erty of the defendant, or a sufficiency thereof to satisfy said
fiery facias and costs.

SEC. 1222. Whenever the Marshal shall have any execu-
 tion or executions placed in his hands, he shall execute the

Tax execu-
tions—
Clerk to
issue.

Fieri facias
for taxes—
Marshal
to levy
the same.

Advertise-
ment and
sale.

same in the manner prescribed by this ordinance, and whenever he shall levy any execution upon any goods, chattels, lands or tenements, he shall advertise the same in one of the public gazettes of the City of Atlanta, once a week for four weeks prior to the day of sale; and the said Marshal shall, on the first Tuesday of each month between the hours of ten o'clock in the forenoon and four o'clock in the afternoon, sell all property levied upon, in front of the courthouse door, at public outcry, and shall knock down said property to the highest bidder, and execute titles to the same, if required; he shall be allowed the following fees:

	For settling and collecting a <i>fi. fa.</i>	\$1.00
Nov. 6, 1890	Levying <i>fi. fa.</i> over \$100.00	2.00
	Levying <i>fi. fa.</i> \$100.00 and under	50
	Commission for selling property, the same amounts allowed sheriffs, according to amounts of the various executions.	
	Making deed	3.50

Dec. 19, '88. It shall be the duty of the Marshal to itemize his costs on the back of the *fi. fa.*, and to print this bill of fees on each *fi. fa.*

Notice. SEC. 1223. Where real estate is levied on, it shall be the duty of the Marshal to give to the owner, or the tenant in possession, if the owner is unknown, a written notice of such levy five days before the sale, and to make a return of the service, and date of service, and by whom made, and upon whom perfected on the execution.

Redemption. SEC. 1224. Whenever any land is sold under and by virtue of any tax execution issued in pursuance of the charter and ordinances of the City of Atlanta, the owner or owners thereof, his, her, or their agent, or attorney, or the vendor of the land, when the purchase money has not been paid, shall have the right and privilege of redeeming the land thus sold within one year from the time of sale by paying the purchaser thereof the amount paid by such purchaser for said land, with legal interest thereon, and ten per centum premium on said amount, in current money.

SEC. 1225. The Marshal shall keep a register of all sales of

real estate, whether vacant or improved, in a book provided by him for that purpose, in which he shall enter each tract or lot of land exposed to sale, the precise quantity sold, and the amount of taxes and costs the same was sold for, and the purchaser's name, leaving at the end of each line three columns in blank—leaving a sufficient space to insert the name of the person who may redeem such lot or tract of land, the date of redemption and the amount of redemption money paid, which book shall be kept in a neat and legible manner, and shall always be open for the inspection of any and all persons interested.

Marshal
to keep a
registry of
tax sales,
etc.

May 1, 1876.

SEC. 1226. That hereafter it shall be the duty of the Marshal of said city:

First. To keep a file of all newspapers in which his official advertisements appear.

Marshal—
papers and
books to be
kept by.

Second. To keep an execution docket wherein he shall enter a full description of all executions levied by him on any kind of property, showing what property levied on, the date of levy and of the service of notice, together with all his acts and doings thereon.

Third. To keep a book in which shall be entered a record of all sales made by him, describing accurately the property and process under which sold, the date of the levy and sale, and the purchase and price.

April 20, '85

Fourth. Said books shall have an index, which shall be kept up for each entry therein.

SEC. 1227. The chairman or a member of the Tax Committee shall act for the city in bidding the amount of tax and costs on property sold for tax by the Marshal, where no one bids that amount, and see that the Marshal makes the city a deed in pursuance of the Act of the Legislature, approved February 27th, 1877.

Purchase
by city.

April 30, '77

SEC. 1228. It shall be the duty of the Clerk of Council to prepare and keep in his office a book of record of all property purchased by the city at Marshal's tax sales, showing whose property was so purchased, the amount bid by the Tax Committee, and what portion of the same was tax

Clerk
shall keep
record.

and what portion Clerk and Marshal's costs, respectively. He shall also file and carefully keep in his office the deed made by the Marshal to the city, and the execution attached, which shall be delivered to him by the Marshal; also a copy of the newspaper in which any Marshal's sale, at which the city purchased, was advertised.

Possession,
renting,
etc.

SEC. 1229. The City Hall Keeper shall be the proper person for the City Marshal to place in possession of all property purchased by the city at Marshal's tax sales, and it shall be the duty of the Hall Keeper to keep careful watch over all such property, and see that no person is allowed to trespass thereon, in cases of vacant property, and look after the buildings, (if the property is improved,) rent the same, collect the rents, and return and pay all amounts collected for rent to the Clerk of Council. The Clerk shall keep a record, in the book above referred to, of all amounts received for rent.

Redemp-
tion.

SEC. 1230. The owner desiring to redeem property so purchased by the city, may do so in one year from date of sale by applying to the Clerk of Council, and upon the compliance of any such person with the law, he, she, or it, may be allowed to do so. And the clerk shall keep an account of all money received from such sources. The above ordinance is to carry into effect an Act of the Legislature of Georgia, entitled, "An Act to provide for the manner of tax sales by municipal corporations, and for other purposes, approved February 27th, 1877."

May 7, 1877.

When held
one year.

SEC. 1231. Property purchased by the city at Marshal's sale for city tax (by virtue of the provisions of an Act passed by the Legislature of Georgia, and approved February 27th, 1877), and which has been held by the city, under deed made in pursuance of such sale, for one year, shall be sold and disposed of by the city as follows: The Clerk of Council shall present to the Mayor and General Council at any regular meeting thereof a full descriptive list of all property so purchased, and which has been held as aforesaid for one year.

Clerk's
duty.

SEC. 1232. Said Mayor and General Council shall then, by resolution, direct the sale of all, or such a portion of said property as in its judgment should be sold. Such direction being given, it shall be the duty of the Tax Committee to advertise such property for sale in a newspaper published in the City of Atlanta once a week for four weeks before a regular Sheriff's sale day, and to have notice of such proposed sale served on the owner, agent, or tenant in possession, or in case of vacant property posted thereon and return of service of this notice made as in cases of regular tax sales, and on such day, between the legal hours for Sheriff's sales, said committee shall sell, or have sold, said property at public outcry to the highest bidder for cash.

SEC. 1233. Each piece of said property shall be sold separately.

SEC. 1234. Purchasers at such sales shall receive from the city a quit claim deed, to be executed by the Mayor upon the payment of the purchase money to the Clerk of Council.

CHAPTER LVIII.

TAX—SPECIAL PROVISIONS.

SECTION.

1235. Preamble.

1236. Assessors' books.

SECTION.

1237. Book for consolidation.

1238. Selling real estate.

SECTION 1235. WHEREAS, It is to the interest of both the city and real estate owners that there should be the greatest possible accuracy in the assessment of property, both as to its value and description and ownership; and whereas, the form of blank books now used in assessing property is not sufficiently explicit, therefore,

SEC. 1236. *Be it ordained*, That hereafter the city shall order for each year, for the use of the City Assessors six books, one for each ward, having a blank column for each

of the following items, viz: owner, agent, residence, district, land-lot, ward, block, lot, dimensions, number of house, street, side street, vacant, improved, tax assessment, and remarks.

SEC. 1237. *Be it further ordained*, That two blank books, comprising the six ward books, be also ordered, with the following additional columns, viz: whether returned for taxes, and by whom, and for what amount.

SEC. 1238. That all owners of real estate in the city selling a part or the whole of any lot, be required to file within three months of the date of such sale, with the Tax Assessors and Receivers, information of said sale, or sub-division of his lot, and that the Assessors keep a separate book for this purpose.

Selling real
estate.

Sept. 4, 1876

CHAPTER LIX.

TREASURER.

SECTION.

1239. Oath and bond—duties.

1240. Daily payments to him.

SECTION.

1241. Amount retained by Clerk.

Oath and
bond of
Treasurer.

Salary.

Duties.

SECTION 1239. The Treasurer, before he enters on the duties of his office, shall take and subscribe the usual oath, and shall give bond, with two or more good and sufficient securities, in such sum as the Mayor and General Council may fix, and receive for his services such compensation per annum as shall be fixed by the Mayor and General Council before his election, which shall not be changed during his term, and shall do all such services in his department as may be pointed out in the ordinances of said city. The Treasurer shall keep a fair book of entry of all sums of money he may receive and pay out, and shall furnish the Mayor and General Council with a detailed report of all receipts and expenditures, and the different orders upon which money has been paid out by him, and all the different sources through which he has received money; this

report he shall submit to the General Council every three months, and his books shall at all times be subject to the inspection of the Committee on Finance. He shall pay out no money but upon orders properly passed up, and drawn up and signed by the Comptroller, and countersigned by the Mayor, or in his absence, or disability to act, the Mayor *pro tem*. And he shall make daily reports to the Comptroller of all moneys paid to him and disbursed by him, and from whom received and to whom paid and on what account received or paid.

SEC. 1240. *Be it ordained by the Mayor and General Council*, That from and after the passage of this ordinance, it shall be the duty of all officers connected with the city government to pay over to the City Treasurer, the same day on which it is collected, all money which they collect for the city, and the receipt of the Treasurer shall be sufficient voucher for them in all settlements which they are required to make with other officers of the city.

Officers of the city to pay over to the City Treasurer daily all moneys received by them.

Mar. 4, 1889

SEC. 1241. *Be it further ordained*, That the Clerk may keep on hand an amount, not exceeding five hundred dollars, for the purpose of paying such expenses as he may be called upon to pay by the proper authorities.

Clerk may keep \$500 on hand.

CHAPTER LX.

THEATRES, OPERA HOUSES, HOTELS, ETC.

SECTION.

1242. Construction of doors to.

1243. Aisles to be kept clear; exits marked.

SECTION.

1244. Gas not to be cut off in hotels, etc.

SECTION 1242. It shall not be lawful for the proprietor, or owner of any theatre or opera house, to lease, rent or permit to be used in any way, such theatre or opera house, unless all the doors of ingress and egress to them are so constructed as to open outward from the inside. Any person or persons violating the provisions of this ordinance, shall be fined by the Recorder not exceeding one hundred

Construction of doors.

Sept. 20, '75

Penalty.

dollars and costs, or thirty days imprisonment in the station-house, one or both.

SEC. 1243. It shall not be lawful for the proprietor or owner of any theatre, opera house, or other house used for public amusement, to lease, rent, or permit to be used, the aisles leading to and from the seats and doors used as entrances and exits, or about or in the doorways, permanently or temporarily at any time, by persons standing therein or by the chairs, stools or other movable seats placed therein; and all doors of exit or entrance shall be designated by large letters in plain view of the audience. Any person or persons violating this section shall be punished by fine not to exceed five hundred dollars, or imprisonment not longer than thirty days.

Aisles to be kept clear.
Feb. 7, 1881.
Exits marked.
Penalty,

SEC. 1244. From and after the passage of this ordinance it shall not be lawful for the proprietor or proprietors (either themselves or by their employees), of any hotel or boarding-house in the City of Atlanta, where any kind of gas is used in bed-rooms for lights, to cut the gas off at any time during the night, except in cases where the premises may be on fire. Any proprietor or proprietors of any hotel or boarding-house violating this ordinance shall, on conviction before the Recorder, pay a fine not exceeding one hundred dollars for each and every violation.

Gas in hotels and boarding houses not cut off.

It shall be the duty of the Chief of Police to see that this ordinance is enforced.

CHAPTER LXI.

TURF EXCHANGES PROHIBITED.

SECTION.	SECTION.
1245. Repeals ordinances licensing turf exchanges.	1246. Forbids issue of turf exchange license.
	1247. No pools of any kind to be sold.

SECTION 1245. *Be it ordained*, By the Mayor and General Council, April 7th, 1890, fixing the license for Turf Exchange be, and the same is hereby repealed.*

Repeals former ordinance.

*The ordinance repealed fixed one thousand dollars license for Turf Exchanges required oath, bond, etc. It was approved April 8th, 1890.

SEC. 1246. That no Turf Exchange license be hereafter issued, and no permit granted for the sale of pools of any kind. No license to be issued

SEC. 1247. Any person running a Turf Exchange or selling pools of any kind in the city after expiration of all licenses heretofore granted, shall be guilty of a misdemeanor, and, on conviction before the Recorder, shall be subject to a fine not exceeding five hundred dollars, or sentence to the city chain-gang for a period not exceeding thirty days, one or both, in the discretion of the Recorder. Penalty for pool selling. Mar. 20, '91.

CHAPTER LXII.

HEADS OF DEPARTMENTS TO MEET, ETC.

SECTIONS 1248, 1249.

SECTION 1248. From and after the passage of this ordinance the heads of the various departments of the city government, unless excused by the Mayor, shall meet in the Mayor's office every Saturday at noon for the purpose of discussing and determining the work to be done by each department the following week. The Mayor shall preside, and in case of disagreement among the heads the Mayor shall decide between them. Meet at noon every Saturday. June 6, 1890

SEC. 1249. *Be it further ordained,* That the Mayor shall have power to call a meeting of the heads of the departments at any other time that he may deem necessary for the interest of the city. Mayor may call meeting.

CHAPTER LXIII.

BOARDS OF DIFFERENT DEPARTMENTS.

SECTION.

1250. Preamble and qualifying of members.

SECTION.

1251. Absence from meetings vacates—when.

WHEREAS, "A public office is a public trust," and men are selected for public positions with a view to their fitness Preamble.

for filling the same, and with the belief that the men so selected will give the necessary time and attention required to further the interest of the different departments of the City of Atlanta; therefore,

Qualify
within
thirty days
after
election.

What
excuses.

Vacancy
declared
and filled.

SEC. 1250. *Be it ordained*, That any person elected by the Mayor and General Council to fill a position on any of the different boards of the city government, shall present himself to the proper officer for qualification within thirty days after election; and a neglect to do so, without an excuse of sickness or absence from the city, or providential cause, shall be deemed sufficient reason to declare the office vacant; and the Mayor and General Council shall at their next regular meeting after being officially notified, proceed to fill the vacancy.

Absence
from four
consecu-
tive meet-
ings vacat's
office.

May 23, 1890

SEC. 1251. That any person elected to fill a position on any of the different boards of the city government and absenting himself from as many as four consecutive regular meetings of the board to which he may be a member, without an excuse of sickness or absence from the city, or providential cause, shall be deemed sufficient reason, after being officially notified, for the Mayor and General Council to declare the position vacant and proceed by election to fill the same.

CHAPTER LXIV.

WAGON YARDS.

SECTION.

1252. License.

1253. Violation of ordinance.

1254. Regulations.

SECTION.

1255. Drunkenness, etc., in the yard.

1256. Supervision of police.

License.

SECTION 1252. Wagon yards may be licensed by the Mayor and General Council upon petition, for which the applicant shall pay the amount provided in the tax ordinance annually.

Violation
of ordi-
nances.

SEC. 1253. Any person who shall permit any one to encamp with a wagon, or other vehicle and team, on his or

her lot, it not being a regular wagon yard, shall, on conviction, pay a fine of not exceeding one hundred dollars and costs, or be imprisoned not exceeding thirty days, or both, in the discretion of the court; and the person or persons so encamping shall be liable to the same penalty.

SEC. 1254. It shall be the duty of all owners or keepers of wagon yards in the City of Atlanta to give public notice, by painted signs on the gate of said wagon yard, to the following purport: "Drunkenness, violence and indecent or obscene language forbidden, under the penalty of not exceeding one hundred dollars fine, or not exceeding thirty days' imprisonment, or both." Regulation

SEC. 1255. Any person guilty of drunkenness, or of violence, or of the use of indecent or obscene language, in or near any wagon yard, shall be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, or both, in the discretion of the court. Drunkenness, etc., in yard.

SEC. 1256. It shall be the duty of the police force to have all wagon yards under their special supervision, until the hour of 10 o'clock P. M., and to arrest all and every person or persons guilty of a violation of this ordinance, and bring him or them before the Recorder, Mayor, Mayor *pro tem.*, or three members of Council. Supervisi'n of police.

CHAPTER LXV.

VENDUE MASTERS.

SECTION.
1257. License.
1258. Oath.

SECTION.
1259. Returns.
1260. Acting without license.

SECTION 1257. Any person or persons desiring a license as Vendue Masters in the City of Atlanta, shall deposit with the Clerk fifty dollars and his fee, and shall make written application to the Mayor and General Council, at the next regular meeting, for such license; and if such license is granted, such person shall give bond and security to the Mayor and License.

General Council of the City of Atlanta, and their successors in office, in the just and full sum of four thousand dollars, conditioned for the punctual payment of all taxes, and the faithful discharge of all the duties required of them by this State, and the ordinances of the City of Atlanta, which license shall be of force one year from the date thereof, and no longer.

Oath.

SEC. 1258. Each Vendue Master shall, before receiving license, take and subscribe an oath, before the Clerk, faithfully to perform all the duties of a Vendue Master for said city according to the laws of this State, and the ordinances of this city, which affidavit shall be deposited with the Clerk of Council.

Returns.

SEC. 1259. Such Vendue Master shall, quarterly, on the first Saturday in the months of April, July, October and January, in each and every year, make returns on oath of the amount of his sales during the term of the three months next preceding the time of said return; and shall also pay to the Clerk of Council, at or before the meeting of Council to which said return is made, all money accruing to the city from duties or taxes upon such sales.

Acting
without
license.

SEC. 1260. Any person acting as Vendue Master in the City of Atlanta without a license from the authorities of said city, and any Vendue Master failing to make returns, or in anywise violating this ordinance, may be fined in any sum not exceeding one hundred dollars, or be imprisoned in the calaboose or common jail not more than thirty days for each offense, or both, in the discretion of the court.

CHAPTER LXVI.

WARDS.

SECTION.

1261. First Ward.
1262. Second Ward.
1263. Third Ward.

SECTION.

1264. Fourth Ward.
1265. Fifth Ward.
1266. Sixth Ward.

SECTION 1261. The City of Atlanta shall be laid off into six wards, as follows: Commencing at the center of the crossing of Whitehall street, at the Western and Atlantic railroad, and running along the center of the track of the Western and Atlantic railroad to the center of Foundry street; thence along the center of Foundry street westwardly to the old corporation line; thence to the intersection of Foundry street and the west line of the recently extended corporate limits, and thence running southwesterly and south along the outer line of said recently extended limits to the corporation lines of West End; thence along the corporate line of West End to where the same intersects with Whitehall street; thence along the center of Whitehall street to the beginning point, shall be known as the First Ward, or Ward Number 1.

First ward.

Division of extension, 1890.

SEC. 1262. The line between the first and second wards shall be Whitehall street to where the corporate limits of West End and Whitehall street intersect; thence extending southwesterly along the corporate limits of West End to the recently extended corporate limits of Atlanta; thence along the corporate limits, as recently extended, to Capitol avenue; and thence along Capitol avenue to Capitol square; thence along Capitol square to Hunter street; thence east along the center of Hunter street to Butler street; thence along the center of Butler street to the Georgia railroad; thence along the center of the railroad right-of-way westward to Whitehall street crossing, shall be Ward No. 2.

Second ward.

Division of extended limits, 1890.

SEC. 1263. Commencing at the junction of Butler and Hunter streets, and running thence along the centre of Butler street to the Georgia railroad; thence east along the Georgia railroad to the new or extended corporation

Third ward

line; thence along said new corporation line to Capitol avenue; thence along the centre of Capitol avenue to Capitol square, and thence along centre of Capitol square to Hunter street; thence down the centre of Hunter street to the beginning point, which shall be known as and constitute Ward Number 3.

Fourth ward.

Division of new extension in 1890

SEC. 1264. Commencing at Butler street and Georgia railroad track and running east along the centre of the Georgia railroad to the corporation line; thence north along the corporation line to Myrtle street; thence back along Myrtle street to North avenue; thence along North avenue to Butler street; thence along Butler street to the beginning point on the Georgia railroad, and including also the following territory: Beginning at the intersection of the Georgia railroad with the eastern or outer line of the recently extended corporate limits; thence running along said outer line of said extended limits northeasterly and northwesterly along said line, and along the property of East Atlanta Land Company, and thence westerly along the line of said company back to the extended corporate limits of the City of Atlanta; thence north along the recently extended limits of said city to Myrtle street or to a point which would be on the direct line with Myrtle street if said Myrtle street were opened and extended to the outer line of the recently extended corporate limits; thence along Myrtle street to the former corporate limits is hereby attached to and made a part of the Fourth Ward of said city.

Fifth ward.

Division of extended limits, 1890.

SEC. 1265. Commencing at the point at which Forsyth street crosses the railroad track; thence running along the north side of Western and Atlantic railroad to Foundry street; thence along Foundry street west to the corporation line; thence north along the corporation line back across the Western and Atlantic railroad to the center of a street known as Apple street, (in Peters' subdivision); thence along Apple street to Williams street; thence along Williams street to West Cain street; thence along West Cain street to James street; thence along James street to For-

syth street; thence along Forsyth street to the Western and Atlantic railroad at beginning point, and including also the following territory: Beginning at the intersection of the outer line of the extended corporate limits with Williams street if extended or on a direct line with Williams street if the same were extended, and running thence westerly and thence southwesterly and south along the outer line of the recently extended corporate limits to Foundry street; thence along Foundry street to the former corporate limits, shall be known as Ward Number 5.

SEC. 1266. There is hereby created for the City of Atlanta, out of the territory now composing the Fourth and Fifth Wards, a new and additional Ward, to be known as Sixth Ward, to be bounded as follows: Commencing at the point where Butler street crosses the Georgia railroad and running along North Butler street to North avenue; thence along North avenue to Myrtle street; thence along Myrtle street to the old corporation line; thence around the corporation line in a westwardly direction to a street known as Apple street, (in Peters' subdivision); thence along Apple street to Williams street; thence along Williams street to West Cain street; thence along West Cain street to James street; thence along James street to Forsyth street; thence along Forsyth street to the Western and Atlantic railroad, including also the following territory: Beginning at the intersection of the outer line of the recently extended corporate territory on Myrtle street, or at a point on the direct line with Myrtle street, were the same extended, thence around and along the corporate limits as recently extended to a point where Williams street would end if extended to the newly incorporated line, in a westerly direction, or to a point on the direct line with said Williams street, if the same were opened and extended.

Sixth ward

Boundary.

Division of
extended
limits in
1890.

CHAPTER LXVII.

WATER.

SECTION.

1267. Waste of.

1268. Penalty; police to enforce.

SECTION.

1269-1270. Interfering with founts, etc.

SECTION 1267. It shall be unlawful for any person, or persons, who use water from the city water-works for closets, basins, or other purposes, to allow the same to run longer than the ordinary and reasonable use of the same may require, either during the day or night; except between the hours of 9 and 11 o'clock A. M., when such person or persons will be allowed to turn on said water for the purpose of flushing and cleansing their closets, sinks, and other attachments.

SEC. 1268. Any person or persons, who shall allow their water closets, sinks, hose for sprinkling purposes, or any other attachment they may have on their premises, to run unnecessarily, and at other than the hours allowed, shall, on conviction, be fined not more than one hundred dollars, or imprisoned not longer than thirty days; and the Mayor shall request the Police Commissioners to detail one or more policemen at such times as he may deem proper, and said policeman shall visit each and every house using water works and report offenders.

SEC. 1269. Any person or persons injuring or interfering with the public founts, hydrants, or any other appurtenance of the water-works in the public streets of this city, between the city and the water-works, or at the water-works, shall, on conviction, be fined in a sum not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court, for each offense.

SEC. 1270. Any person who shall in said city, injure or interfere with the public founts, hydrants or any other appurtenance of the artesian well or any system of supplying water, or willful waste of water therefrom, shall, on

conviction thereof, be fined in a sum not exceeding one hundred dollars or be imprisoned not exceeding thirty days, either or both, in the discretion of the court.

CHAPTER LXVIII.

WATER COMMISSIONERS.

SECTION.

1271. Water commissioners—elections and terms of.

1272. Moneys collected—how disposed of.

SECTION.

1273. Estimate and appropriation for water-works.

SECTION 1271. The Board of Water Commissioners shall consist of one member from each ward, besides the Mayor and chairman of the Committee on Water-works, who are each *ex-officio* members. They shall be elected as vacancies occur by expiration of terms at the first regular meeting, in each year, of the Mayor and General Council, and shall hold office for three years. Their compensation shall be fixed before they are elected, and shall not be changed during their term of office.†

SEC. 1272. All money collected from water rents, and any other income from said water-works, shall be paid, as collected, to the Treasurer of the City of Atlanta, and the payments reported daily to the Comptroller; and all necessary funds to carry on the water-works shall be paid out of the City Treasury, upon orders granted by the Mayor and General Council, which orders must be predicated on requisitions, in writing, from the Board of Water Commissioners: *Provided*, that the said board shall exercise no control over the water-works sinking fund.

SEC. 1273. It shall be the duty of said board, by the first meeting in May of each year of the Mayor and General Council, to file with said body an estimate of the probable receipts from water rents and other income, and of the amount necessary to run such water-works during the current year; and the Mayor and General Council shall, at

†May be fixed yearly. See charter.

the same time other appropriations are made, make such appropriations and set apart such amount for the operation and maintenance of said water-works as may be necessary for their economical and successful operation, provided said amount, except in cases of emergency, (to be judged by the Mayor and General Council), shall not exceed the annual income of the water-works; and shall pay out the same, upon requisition of said Commissioners, as it shall be needed and called for.

CHAPTER LXIX.

WEIGHTS AND MEASURES.

SECTION.

1274. Standard weights.

1275. Penalty.

SECTION.

1276. Racks in wood yards.

Standard
weights.

SECTION 1274. The Marshal shall procure from the Ordinary a set of standard weights and measures, and shall examine each and every scale, and other instrument for weighing and measuring in this city, and all weights and measures shall conform to said standard, and for each examination and arrangement of such scales, weighing machine or measures, he shall receive the sum of ten cents, and shall stamp the instrument with the letter A.

Penalty.

SEC. 1275. If at any time after the arrangement of such measure or weighing machine the Marshal shall find it not in conformity to said standard, he shall report the person using such false measure or weighing machine, and such offender shall, on conviction, pay a fine of not exceeding one hundred dollars, or be imprisoned not exceeding thirty days, either or both, in the discretion of the court.

Wood
yards.

SEC. 1276. That all dealers in wood at wood yards in this city, after thirty days from this date, be required to put up racks for one-eighth, one-quarter, one-half, and one cord, and that all wood sold from such yards be measured in such racks; and upon failure to comply with the requirements of

Racks.

this ordinance by any such dealer, shall, upon conviction, be fined in a sum not exceeding twenty-five dollars for each ^{Penalty.} offense.

CHAPTER LXX.

WELLS AND CISTERNS.

SECTION.

1277. Must be filled.

1278. Punishment.

SECTION.

1279. Drawing water from cisterns.

SECTION 1277. It shall be the duty of all persons owning ^{Must be filled.} or occupying lots in the City of Atlanta, or their agents or representatives, to keep all wells, cisterns, and other pits and holes in the earth, therein or on the same, securely covered or enclosed, so as to prevent injury resulting therefrom to the person or property of others.

SEC. 1278. Any such person who shall suffer or allow any ^{Punishment.} well, cistern, or other pit or hole in the ground, to be or remain open, unenclosed, or otherwise so exposed as to be dangerous to the person or property of others, after being notified by an officer of the city, shall, on conviction, be fined in a sum not exceeding one hundred dollars and costs; or not exceeding thirty days imprisonment in the calaboose, or both, in the discretion of the court; and every twenty-four hours that the same stands open and unenclosed, after conviction, shall constitute a separate offense.

SEC. 1279. Any person drawing water from the public ^{Cisterns.} cisterns of the city, except for the purpose of extinguishing fire, shall, upon conviction, be subject to a fine of not exceeding one hundred dollars and cost, or imprisonment not exceeding thirty days, or both, in the discretion of the court.

CHAPTER LXXI.

RAILROAD COMPANIES—DUTIES AS TO FLAGMEN—
CROSSINGS, ETC.

SECTION.

- 1280. Flagmen—at what crossings—and their duties.
- 1281. Officers of roads issuing unlawful orders.
- 1282. Flagmen act as policemen.
- 1283. Getting on and off trains—penalty.
- 1284. Employees of roads empowered as special policemen—when and how.
- 1285. Loitering around railroad tracks.
- 1286. Not whistle within limits of city.
- 1287. Must get permission to lay tracks across or along streets, alleys, or squares.
- 1288. Penalty for work without permit.
- 1289. Speed of trains.

SECTION.

- 1290. Must not obstruct crossings longer than three minutes.
- 1291. Not discharge freight on railroad crossings.
- 1292. Prohibits switching on certain crossings.
- 1293. Only one train to move over crossing at a time.
- 1294. Not pass between engine and flagman.
- 1295. Not jump on or off moving trains.
- 1296. Railroad companies build and repair bridges and crossings.
- 1297. Notice to build or repair.
- 1298. City may do work at expense of road—when.

Flagmen.

SECTION 1280. It shall be the duty of the railroad companies using the tracks across Whitehall, Forsyth, Castleberry, Prior, Loyd, Simpson, Thurmond, Foundry, Peters and Mitchell streets, in the City of Atlanta, to place and keep a sufficient number of flagmen at said crossings, whose duty it shall be to prevent all railroad trains passing said streets from going at a greater rate of speed than four miles per hour; and further to protect the lives of persons passing along the streets at the points mentioned. All railroad engineers or firemen who drive or run an engine or train across said Whitehall street, or across Pryor, Loyd, Forsyth, Peters, Mitchell or Foundry streets in said city, at a greater rate of speed than four miles per hour, shall be deemed guilty of a violation of this ordinance, and, upon conviction thereof before the Recorder, Mayor, or Mayor *pro tem.*, shall be punished by a fine of not less than twenty dollars, nor more than one hundred dollars, or imprisonment not to exceed thirty days.

Speed of
trains.Railroad
official.

SEC. 1281. Any railroad officer or official who shall issue, or cause to be issued, any order providing for the passing of engines or trains over the streets mentioned above at a greater rate of speed than four miles per hour, shall be fined

by the Recorder, Mayor or Mayor *pro tem.*, fifty dollars for issuing said order, and twenty-five dollars for every day that such order shall remain unrevoked. And in default of the payment of such fine, the officer shall be punished by imprisonment in the station-house not to exceed thirty days.

SEC. 1282. It shall be the duty of the flagmen to flag ^{Flagmen to act as policemen.} each passing train as it approaches and leaves Whitehall street; and said flagmen shall be clothed with all the powers of policemen for the purpose of arresting any and all persons violating the provisions of this ordinance. And it shall further be in their power, and their duty, to arrest all persons endeavoring to rush ahead of passing trains, in a disorderly manner, and to prefer charges at the station-house against such person, who shall be tried by the Recorder, Mayor, or Mayor *pro tem.*, and if found guilty, may be fined in a sum not exceeding one hundred dollars, or imprisonment not to exceed thirty days, in the discretion of the court.

SEC. 1283. All persons connected with railroad trains, ^{Getting on and off trains.} "including street cars and dummy lines," are prohibited from getting on or off the engine or cars within this city, unless for the *bona fide* purpose of taking passage on the same, and all offenders shall be arrested by any special or other policeman of this city, and, on conviction, shall be fined not exceeding five dollars, or be imprisoned not exceeding twenty-four hours. Any person, not a *bona fide* passenger, jumping on or swinging to or getting off a moving train in said city shall be subject to same punishment. The conductors of such railroad trains, and the conductors or drivers of such street railroad cars or dummy lines shall be clothed with all the powers of policemen, for the purpose of arresting any and all persons violating the provisions of this ordinance, or any part thereof.

SEC. 1284. That the Board of Police Commissioners be ^{Special policemen.} authorized to appoint and empower as special policemen a sufficient number of the employees of each railroad company, whose names shall have been furnished the board by such

company, to enforce the above ordinance; and said special policemen shall, in every instance, serve without expense to the city; such authority shall cease whenever such employee ceases to be an employee of the railroad presenting his name to the board, or whenever revoked by the board: *Provided, however*, that nothing in this ordinance shall be construed so as to interfere with persons meeting friends, or seeing them off on the train or cars, when the same are not in motion.

Loitering
around
railroad
track.

SEC. 1285. That it shall be unlawful for persons under age to play and loiter about and upon the railroad tracks and shops within the city, and if doing so, may be ordered away by a special policeman, or other policeman of this city, and if they refuse to leave, may be arrested by said policeman, and shall, on conviction, be fined not exceeding five dollars and cost, or be imprisoned not exceeding twenty-four hours for such offense.

Whistling
within
corporate
limits.

Sept. 5, 1881

SEC. 1286. Any person operating any locomotive engine who shall blow the whistle thereof within the corporate limits of the city, shall, on conviction, pay a fine of not more than one hundred dollars, or be imprisoned not longer than thirty days.

Building
railroads
across
streets,
alleys or
squares.

Applica-
tion for
permission

Jan. 24, 1882

Power of
Council.

SEC. 1287. Any railroad company that may desire to lay down any railroad track, or tracks, along or across any street, public alley or square within the corporate limits of the city, shall, before doing so, present in writing to the General Council an application for permission to do so, which application shall show the streets, alleys or squares which they desire to cross, or run upon, and to what width or length, and at what grade. If the General Council shall require, the Engineer of the city shall make an examination and report what changes the proposed work will make to such streets, alleys or squares as will be affected thereby, and whether the proposed plans are proper and satisfactory. Said body may authorize, modify, or reject and refuse the application, as may, in their judgment, be for the best interest of the public.

SEC. 1288. Any person or persons who shall enter upon any street, alley or square, within the city, and do any work thereon, either by excavating earth or by laying cross-ties, stringers, rails, or otherwise, for the purpose of constructing railroad track or tracks along, across, or upon the same, without first making application to and obtaining the consent of the Mayor and General Council, shall, upon conviction, be fined not more than five hundred dollars, or imprisoned not longer than thirty days, either or both, in the discretion of the court. Penalty.

SEC. 1289. Any engineer or other person in charge of an engine, with or without cars attached, who shall run the same through any part of the city at a greater rate of speed than six miles an hour, shall, on conviction, be fined not more than five hundred dollars, or imprisoned not longer than thirty days, either or both, in the discretion of the court. Speed of train.
Oct. 16, 1882
Penalty for violation.

SEC. 1290. Any conductor, engineer or other employee of any railroad company, having tracks running across the public streets of this city, who shall obstruct said streets or prevent the free passage of vehicles and pedestrians longer than three minutes at any one time, shall, on conviction, be fined not more than one hundred dollars, or imprisoned not longer than thirty days, either or both, in the discretion of the court, for each offense. Obstructing street crossings longer than three minutes.
Feb. 5, 1883.
Penalty for violation.

SEC. 1291. It shall not be lawful to discharge cars loaded with any character of freight whatever, by drays, at Whitehall, Loyd or Pryor street crossings, or in any manner obstruct said crossings or sidewalks. Shippers will be held liable for all cars consigned to them and placed on sidetrack at the south side of the passenger depot for their benefit, who will be required to see that their cars, loaded or empty, do not obstruct said crossings or sidewalks. Any railroad company, through its ostlers, switchers, conductors or other employees, shippers or consignees, private or public draymen, violating this section, shall, on conviction, Discharging freight on railroad crossings.
Sept. 15, '79.

be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days, in the discretion of the court.

July 7, 1890

SEC. 1292. That thirty days after the passage of this ordinance, it shall be unlawful for any railway company or corporation, or the agents of any railway company or corporation, to shift, switch, or make up trains of cars, or run cars or engines over Whitehall, Pryor, Loyd or Mitchell street crossings, between the hours of 6 A. M. and 10 P. M., and any railway company or corporation, or any of its agents, violating the provisions of this ordinance, shall, upon conviction before the Recorder, pay a fine of not less than one hundred dollars, nor more than five hundred dollars, for each offense: *Provided*, that nothing herein contained shall be construed to prevent passenger trains from entering or departing from the union depot, or from transferring loaded or empty freight cars to connecting roads, or to prevent the delivery of through freight or of local freight to consignees having side track privileges, but at no time shall any car or engine pass over the above named crossings between the hours of 6 A. M. and 10 P. M., without being preceded by a flagman.

SEC. 1293. That when two or more engines or cars are approaching either of the above named crossings at the same time, all but the one car nearest the crossing shall come to a dead stand, and remain so until the first has completely cleared the crossing, and so on until all engines or cars have passed. This shall not apply to regular passenger trains going into and out of the union depot: *Provided*, that only one train shall be in motion at the same time. Any engineer or agent being in charge violating the provisions of this section, shall, upon conviction before the Recorder, be fined not less than twenty-five dollars, nor more than one hundred dollars, for each offense, and upon failure to pay said fine, shall serve not less than ten days, nor more than thirty days, on the public works.

SEC. 1294. After the passage of this ordinance, it shall be unlawful for any person to pass or attempt to pass be-

tween the flagman and the engine or cars that he is preceding, over any of the above named crossings. Any person violating this section, shall, upon conviction before the Recorder, be fined not less than five dollars, nor more than twenty-five dollars, nor serve not less than five days, nor more than twenty days, on the public works. Sept. 4, 1890

SEC. 1295. It shall be unlawful for any person to jump on or off a moving train at Piedmont Park, and any person convicted before the Recorder, Mayor, Mayor *pro tem.*, or three members of Council, of violating this section, shall be punished by a fine not exceeding one hundred dollars, or imprisoned in the station-house or stockade not exceeding thirty days, or both these penalties, in the discretion of the court. Jumping on or off moving trains prohibited.
Oct. 17, 1887

SEC. 1296. That from and after the passage of this ordinance, in all cases in which a railroad company, or street railroad company, is required or liable by law to build bridges in said city, or to keep bridges or crossings in said city in repair, on or across a street or streets crossed by the tracks of a railroad company, or a street railroad company, such railroad company shall, when the building of a new bridge, or the repair of a bridge already built, is declared by the Mayor and General Council of said city to be necessary or proper, be notified by the Engineer to commence the building of such bridge within ten days, and prosecute the same in good faith to completion. That when, in the judgment of the Committee on Streets and City Engineer of said city any such bridge or crossings shall be in need of repair or work to render it safe, such railroad company or street railroad company shall be notified by said City Engineer to commence the repair thereof or work thereon within ten days, and prosecute in good faith such repair or work to completion. Railroads to build and repair bridges and crossings.
When.
Notice to company.

SEC. 1297. The notice provided for in the preceding section shall be in writing, and served by the City Engineer or his assistant, on the principal officer of any such railroad company, or street railroad company in said city, or Served by Engineer or Assistant.
Sept. 21, '85.

by leaving the same at the principal office of such company in said city. Said notice shall contain a general plan and character of the bridge to be built or repaired, and materials of same, or description of work to be done at a crossing, as also a reference to the subject matter of the third section of this ordinance, being section hereof 1259.

If railroad
company
refuses city
to do work
and issue
execution.

SEC. 1298. Should a railroad company or street railroad company so notified as above, fail or refuse to commence in good faith the building or repairing of a bridge or the repairing of a crossing within the time specified in said notice, and in accordance with the foregoing provisions, or notify said city of a refusal to comply with the notice served, then, and in that event, said city will proceed and do such work of building or repairing such bridge or crossing at the charge and expense of such railroad company or street railroad company, and within five days after the completion of said work by the city, the City Engineer shall report under oath in writing to the City Clerk of said city the amount and value of the services performed or expense incurred in said work, whereupon said city shall issue execution (as other executions are issued by said city) for the amount of such value or expense and the costs of the proceeding against such defaulting railroad company or street railroad company, to which execution a defense may be made and filed, as in other cases of illegality, on oath to the Mayor and General Council of said city and heard by said Mayor and General Council on ten days' notice to such railroad company or street railroad company by said city; said notice to be in writing, signed by the City Clerk, and served in the manner prescribed in the second section of this ordinance by the City Marshal or Messenger.

CHAPTER LXXII.

WORKS—PUBLIC—COMMISSIONER OF.

SECTION.

1299. Control execution of work.
 1300. Rules and forms devolved upon him.
 1301. Shall make and submit estimates.
 1302. Make monthly detailed statement.
 1303. Accounts—how made out and approved.
 1304. Employees, purchases, etc.
 1305. Subject to Mayor and General Council.
 1306. Authority to order work limited and jurisdiction of commissioner.

SECTION.

1307. Condemned stock, sale, report, etc.
 1308. Keep complaint books.
 1309. Commissioner's clerk.
 1310. Whole time required.
 1311. Office—where kept.
 1312. Teams to be tagged.
 1313. Work to be executed in order of passing up.
 1314. Mayor may suspend order in emergency.
 1315. Chain-gang—how used in grading.

SECTION 1299. The Commissioner of Public Works shall have full and complete control of the execution of all work of every kind ordered from time to time by the Mayor and General Council on the streets, sidewalks, curbing, bridges, culverts, sewers and drains of the city, except the inspection of paving streets and sidewalks and construction of sewers let out by contract, which is the duty of the City Engineer; and shall have like control of the city stockade and grounds connected with the same, and of all city convicts and employees connected with the departments of the city's service relating to those matters.

SEC. 1300. The organization, rules, forms and methods of business lately used and in operation under the Board of Commissioners of Streets and Sewers shall be devolved on and may be continued in use by said Commissioner of Public Works in the transaction of his business until changed by him, or by the General Council, except that the Commissioner, or his clerk, shall discharge the duties formerly devolved on the Superintendent of Streets, which latter, as a separate office, is hereby abolished.

SEC. 1301. The said Commissioner of Public Works shall, in January of each year, make up and present to the Finance Committee of the General Council an estimate of the amount that will be necessary for all work on the streets

Controls
execution
of work.

May
change
rules, etc.

Jan. 4, 1886.

Make estimates.

and sewers, and other work and expense of his department for the year; and the Mayor and General Council shall, at the time the other apportionments are made, set apart and apportion to said street and sewer work, or other work and expense in the department of said Commissioner of Public Works, such amount or amounts as may, in their judgment, be necessary and proper for the year. The amounts thus apportioned shall be paid out in such a manner as the said Mayor and General Council shall provide, and such reasonable amount as may be necessary may be advanced before the annual apportionments in May, as other apportionments of the city. Said Commissioner shall, in furnishing the estimates above mentioned, specify the same separately, stating how much will be necessary for streets; how much for sewers, and how much for permanent improvements or other particular work or expense in his department.

Report at first meeting of Council. Each month's work completed and in progress.

SEC. 1302. Said Commissioner shall, at the first regular meeting in each month, furnish to the Mayor and General Council a detailed statement of work in progress and of work completed in his department during the past month, and shall in said report carefully show as to each work or expenditure, how far the actual expense has overgone or fallen short, as the case may be, of what was estimated for it when the work was ordered, and shall, on the Saturday before each regular meeting of said Mayor and General Council, furnish to the Clerk of Council, and the same to be entered on the minutes, a carefully prepared statement, showing all work ordered but not done and paid for, so as to exhibit the amount, as near as he can estimate, of liabilities or expense previously incurred by vote of the General Council, but not up to that time appearing in the expense accounts of the Clerk's office, in such form and to such effect as that the Comptroller may be enabled to enter and deduct the same under appropriate heads in the financial statement required by law to be made up at each meeting of said body.

SEC. 1303. All accounts for work done in the department of said Commissioner to be paid for out of the regular annual apportionment set apart by the Mayor and General Council for such work, shall, before they are paid, be made out as other accounts against the city are made, be approved by said Commissioner, if found correct, and approved in like manner by the Committee on Streets and Sewers, as the case may be, and delivered to the Comptroller, and shall then take such course as other accounts against the city; and said Commissioner shall be responsible to the Mayor and General Council for the just and economical expenditure of the public funds in his department.

Make out
accounts,
etc.

SEC. 1304. And said Commissioner of Public Works shall have the right of appointment and discharge of all employees in his department, except as hereinafter provided, and see to the execution of all contracts, and see to the correctness of all dealings with said City of Atlanta, and on behalf of said city, pertaining to his department.

Appoint
and
discharge
employees.

SEC. 1305. In the execution of his office and discharge of all the duties thereof, he shall be subject to the direction and control of the Mayor and General Council, and to such orders, regulations and ordinances as that body may from time to time adopt in relation to the same.

Subject to
Mayor and
General
Council.

SEC. 1306. The said Commissioner of Public Works shall not be authorized to make any contract, or to do any work of his own motion, the cost of which would exceed one hundred dollars. The jurisdiction of the said Commissioner of Public Works shall extend to and embrace all the powers and duties exercised by the Commissioners of Streets and Sewers under then existing laws, except in so far as they may be repealed or modified by the act of the Legislature creating the office of Commissioner of Public Works, or by ordinances of the city now existing or hereafter passed.

Not to ex-
pend more
than \$100
on his own
motion.

Takes place
of Commis-
sioners of
Streets and
Sewers,
except, etc.

SEC. 1307. The said Commissioner of Public Works shall, from time to time, at public auction, of which due and proper publication shall be made, dispose of all condemned

Sell con-
demned
stock, etc.,
at auction
and report
in writing

But not to
buy at
such sale.

stock, vehicles and appliances, and old and unused material in his department, after first submitting the proposition to the Mayor and General Council and obtaining their order therefor, and shall make a written report after each sale so made at the next meeting of the Mayor and General Council, giving a detailed statement of articles sold and price brought, and accompanying said report with the receipt of the Clerk of Council for the funds arising therefrom; and the city's title to such property shall not be diverted in any other manner than as herein provided. It shall be unlawful for the said commissioner, either directly or indirectly, to be a purchaser at these sales of any such property.

Keep a
complaint
book and
examine
matters
reported
therein.

SEC. 1308. The said commissioner shall keep in his office a book to be known as "The Complaint Book," wherein the police, sanitary inspectors, or any citizen may, from time to time, make entry of obstacles and defects in the streets and sewers needing immediate remedy; and it shall be the duty of the said commissioner to at once examine into the same, and to take such steps as he may be authorized by law to provide a remedy for the same.

His clerk
subject
to his
direction.

SEC. 1309. The Clerk of the Commissioner of Public Works shall perform such duties as shall be prescribed by said Commissioner of Public Works, and shall be under his direction and control, and shall be subject to suspension or removal by the General Council on the address of the said commissioner.

Engage in
no other
business.

SEC. 1310. The said Commissioner of Public Works, and his clerk, shall devote their entire time to the interests of the city, and shall have or engage in no calling or business other than the duties of their respective offices.

Office to be
assigned by
Committee
on Public
Buildings.

SEC. 1311. There shall be assigned to said commissioner by the committee on public buildings a suitable office or office-room for the transaction of the business of his department as the interests of the same and of the public may demand.

SEC. 1312. WHEREAS, The City of Atlanta owns and operates teams and wagons on its streets: *Therefore be it ordained*, That all teams, either single or double, have a red metal tag not less than three inches long and one and one-half inches wide, attached in the following manner: Each tag to be stamped "City of Atlanta." Every two-horse or four-horse team to have this tag attached to bridle at the ear-band, on the outside of each animal; single draft animals to have it attached in similar manner on each side. All teams that are hired by the city, while they are in the employ of the city, are to be tagged in the same manner. Any driver of teams belonging to the city, or of teams in the employ of the city, who does not comply with this ordinance shall, on conviction, be fined not exceeding fifty dollars, or imprisonment not longer than thirty days.

Tags to be used on teams, etc., in service of city.

April 6, '85.

SEC. 1313. All street, sidewalk and sewer work shall be done in the order in which the same was passed up by the Mayor and General Council, all work passed up at the same meeting having equal rank, but the Mayor and General Council may at any such meeting fix the order in which work passed up at the same meeting shall be executed.

Order of work on streets, sewers or sidewalks.

Feb. 6, 1891.

SEC. 1314. The order fixed, as provided for in the preceding section, for the execution of work, shall not be changed or varied, except by action of the Mayor and General Council; *provided*, that the Mayor, in an emergency, shall have the discretion to change the order of any such work; but such change, when authorized by the Mayor, shall be reported by him to the next meeting of the Mayor and General Council, and shall not longer prevail, unless such change be then and there concurred in by the Mayor and General Council.

Mayor may change order in an emergency subject to concurrence of Council at next meeting.

Jan. 23, '91.

SEC. 1315. The Commissioner of Public Works shall only have the force of hands, known as the chain-gang, used for the purpose of grading streets and sidewalks where the Mayor and General Council orders and passes up the

Chain gang to be used in grading only where the Mayor and Gen'l Council orders, and under the direction of Mayor and Street Committee

same during the present year, (1891) and when not engaged in this work, such force shall be used by said commissioner under the direction of the Mayor and street committee.

CHAPTER LXXIII.

SECTION.

1316. Park Commission.

1317. Booths, stands, etc.

1318. Ordinances applied to preserve peace and order.

SECTION.

1319. Hunting, fishing, etc., prohibited.

1320. Flowers, foliage, etc., protected.

1321. Penalty for violating rules.

1322. Violators of State laws prosecuted

Park Com-
mission.

Members.

Duty of.

SECTION 1316. The general control, management and authority over property of the City of Atlanta known as the L. P. Grant Park, is hereby vested in the Park Commission, which Commission shall consist of the Standing Committee on Parks of the General Council, and four citizens to be appointed by the Mayor at the time the Standing Committees of Council shall be appointed; said Commission shall have power (subject to the supervision of the General Council) to protect the city's property, enforce order, permit or prohibit public meetings, picnics, games, or assemblage of persons for any purpose whatever, on the grounds of said park; prescribe rules and regulations for the government of themselves and the property which they control, and generally to carry forward improvements as money may be from time to time appropriated for such purpose.

Booths,
stands, etc.

Law in
force.

SEC. 1317. All laws and ordinances in force in the City of Atlanta in relation to the erection of booths, stands, etc., for the sale of articles of any nature, and the manner of obtaining license therefor and the fees to be paid, shall apply to said park: *Provided*, that no license to sell or retail spirituous or malt liquors therein shall be granted upon any terms.

Peace and
order ordi-
nances
apply in
the Park.

SEC. 1318. All laws and ordinances in force in the City of Atlanta for the promotion of the peace, good order and morals thereof, whenever applicable, are hereby extended to and embrace the territory included in said park and in

Piedmont Park, and any person violating said ordinances shall be subject to the penalties provided in the City Code.

SEC. 1319. Any person who shall hunt with dogs or fire-^{See Chapter XX.} arms of any kind, shoot, fish, swim or bathe in said park, ^{Dogs not allowed in the Park.} shall be fined not exceeding fifty dollars, or imprisoned not longer than thirty days.

SEC. 1320. Any person or persons picking or breaking the flowers or foliage, without permission of the Commis-^{Breaking flowers, foliage, etc.} sioners; or who shall cut, work, or deface any of the trees, signs or public notices, buildings or other property; or who shall throw stones, sticks or other missiles; or who shall interfere with or chase rabbits, squirrels or birds, rob or destroy their nests; or who shall stand, walk or ride on the grass, post bills or notices in said park, shall, on conviction ^{Penalty.} thereof before the Recorder of said city, be fined not exceeding fifty dollars, or be imprisoned not longer than thirty days.

SEC. 1321. Any person or persons who shall persist in the violation of any of the rules and regulations prescribed ^{Persistent violation of rules.} by the Park Commission for the government of said park, after notice to desist from so doing, shall, on conviction ^{Penalty.} thereof before the Recorder of said city, be fined in a sum not exceeding ten dollars, or be imprisoned not longer than ten days.

SEC. 1322. Should any person or persons, in violating ^{Penal laws of State—violations prosecuted} any of the foregoing sections or doing any other act, be guilty of any offense under the Penal Code of this State or city, it shall be the duty of the officer in charge to arrest him or them, and vigorously prosecute for said offense.

CHAPTER LXXIV.

VOTING—BY MAYOR AND GENERAL COUNCIL IN ELECTIONS.

Aug. 18, '84. SECTION 1323. That in all elections by the General Council the vote shall be taken *viva voce* on the call of the roll by the clerk, and shall be entered on the minutes of the General Council.

CHAPTER LXXV.

STANDING COMMITTEE ON BRIDGES.

Jan. 1891. SECTION 1324. A new standing committee of the General Council shall be appointed by the Mayor, with the standing committees heretofore provided for by ordinance. This new committee to be composed of three members of the General Council, and to be known as the Committee on Bridges; and to this committee shall be referred all ordinances, resolutions, petitions, etc., relative to the erection, maintainance and condition of the bridges built or to be built in the city.

CHAPTER LXXVI.

GOVERNMENT OF GRADY HOSPITAL.

Preamble. SECTION 1325. WHEREAS, Heretofore, to-wit: on the 6th day of January, 1890, the Mayor and General Council of the City of Atlanta authorized the appointment by his Honor the Mayor of said city of a committee composed of members of the General Council and from citizens, and who were entrusted with the inauguration of the Grady Hospital, and the erection of the hospital building; and, whereas, in conformity to said action of the Mayor and General Council, his Honor the Mayor appointed the following named gentleman on said committee, to-wit: Joseph

May 21, 1891

Hirsch, S. M. Inman, J. W. English, R. J. Lowry, W. A. Hemphill, M. C. Kiser, W. A. Moore, R. B. Bullock, J. L. Brown, H. T. Inman, Dr. A. W. Calhoun, Hoke Smith, Albert Howell, Dr. Hunter P. Cooper and Jacob Elsas; and, whereas, said committee have had the supervision and direction of said hospital enterprise up to the present time, the lot having been secured and the building commenced; and, whereas, for the completion of said building the raising of additional funds is necessary and desirable;

SEC. 1326. *Therefore, be it ordained by the Mayor and General Council*, That the above named gentlemen composing said committee be, and they are hereby authorized and empowered to continue the work of the erection of said building and the equipment of the same for hospital purposes, with and to the extent only of the money which they may receive therefor, but without any liability on the part of the city, except such as may be hereafter expressly provided for, and the said committee shall have full power to receive in behalf of the city and the promoters, additional subscriptions of money and donations for the erection and equipment of said hospital, and may receive donations and subscriptions on such terms and conditions as to them may seem reasonable and just, whether such subscriptions be from individuals, companies, railroads or other corporations.

SEC. 1327. Said board, or a majority of them, are hereby empowered to adopt such rules and regulations with reference to such subscriptions and donations as they may deem proper; and said committee shall have the entire charge of all matters appertaining to the completion and equipment of the said building, under the limitation hereinbefore stated, until the same is completed and ready for opening as a hospital, when the same shall be turned over to said city for such further organization or control of the same as may be deemed proper by the Mayor and General Council.

SEC. 1328. Should any vacancies occur on said committee by death, resignation, removal from the city or otherwise, the same may be filled by appointment of the Mayor.

Committee
to build
Hospital.

More
money
needed
which
the Board
may
receive and
expend.

But the
city to be
liable only
to the
extent
expressly
declared.

May make
rules, etc.

Vacancies
—how
filled.

SEC. 1329. All laws and ordinances in conflict with the foregoing ordinance are hereby repealed.

ADOPTING ORDINANCE.

An Ordinance adopting the Revised Code of the City of Atlanta of 1891.

SECTION 1. *Be it ordained*, By the Mayor and General Council of the City of Atlanta, and it is hereby ordained by authority of the same, that the Revised Code of the laws and ordinances of the City of Atlanta, compiled by John B. Goodwin, City Attorney, and James A. Anderson, Assistant City Attorney, and submitted to this body at this meeting, be, and the same is hereby adopted and declared to be in full force and effect. All ordinances not therein contained, and which are in conflict therewith except those adopted at this meeting and the Tax Ordinance now of force be, and the same are hereby repealed.

Approved April 8th, 1891.

APPENDIX.

RULES

FOR THE GOVERNMENT OF THE MAYOR AND GENERAL
COUNCIL OF THE CITY OF ATLANTA.

RULE 1. The Mayor and General Council will meet at the Council Chamber at 3 o'clock P. M. on the first and third Mondays in each month, and continue in session from day to day, in their discretion. ^{Date and hour of meetings.}

RULE 2. Special meetings of the General Council may be called by the Mayor whenever, in his discretion, the exigencies of the case may require it. ^{Special meetings.}

RULE 3. Nine members of the General Council shall constitute a quorum for the transaction of business, and in all cases a less number may adjourn from time to time, and compel the attendance of absentees. ^{Quorum.}

RULE 4. The Mayor *pro tem.*, or, in his absence, any member of the General Council, who may be designated, (a quorum being present,) shall take the chair at the hour appointed for any regular adjourned or special meeting. The Mayor shall preside during the election of officers. ^{Presiding officer.}

RULE 5. The presiding officer, whether the Mayor, Mayor *pro tem.*, or any member of the General Council, shall enforce the rules of this body, preserve order and decorum, and appoint all committees, unless the General Council shall otherwise direct, in which case they shall be appointed by the General Council, in such manner as may be determined upon. ^{Order, committees, etc.}

- Order of business. **RULE 6.** The following order shall be observed in the transaction of business, viz:
1. Call of roll of members.
 2. Report of the Committee on Minutes.
 3. Action of Aldermanic Board.
 4. Financial statement—balance sheet.
 5. Petitions and communications.
 6. Reports of standing committees.
 7. Reports of special committees.
 8. Reports of officers.
 9. Resolutions, orders, and ordinances.
- Accounts. **RULE 7.** No account, not examined and certified to be correct by a member of the proper committee, or by the Mayor, will be passed.
- Report. **RULE 8.** Every committee shall report upon the subject-matter referred at the succeeding meeting, or shall show good cause why such report is not made.
- Report of officers. **RULE 9.** Every officer whose duty it is made, by order or resolution in the General Council, to report at the regular meetings of this body, shall punctually perform his duty, or be fined, in the discretion of the General Council.
- Ordinances. **RULE 10.** Every ordinance shall be read twice at the same or different regular or special meetings of the General Council previous to its adoption.
- Motions. **RULE 11.** All motions shall be reduced to writing at the request of the Mayor or any member of the General Council.
- Majority. **RULE 12.** In all matters pending before the General Council, a majority shall govern. In all cases of a tie, the Mayor, or presiding officer, shall give the casting vote, but at no other times, and under no other circumstances, shall
- Tie vote. he be permitted to vote.
- Rule of speaking. **RULE 13.** Each member of the General Council, while speaking, shall be standing, respectfully address the chair, confine himself to the question under debate, and avoid all personal or indecorous language. No member shall interrupt another while speaking, except to rise to a point of order, the point to be briefly stated to the presiding officer.

RULE 14. The Mayor, or presiding officer, shall decide questions of order, subject to an appeal to the General Council. Questions of order.

RULE 15. In all votes, resolutions, or ordinances, having for their object the increase of the indebtedness of the city, or the expenditure of its revenue, except the payment of its salaried officers, any one Alderman, or any two Councilmen, may give notice of a motion to reconsider, which notice, in either case, shall delay the question until said reconsideration can be acted on at the next regular meeting. Reconsideration. In all other cases, a motion to reconsider any of the proceedings of the General Council will not be entertained, unless made by a member who previously voted in the affirmative.

RULE 16. On the call of any member of the General Council, the vote on any question may be taken by yeas and nays, and recorded. Yeas and nays.

RULE 17. In the order of business established by rule 6 when the head of "Reports of Committees" is reached, the reports of the committees will be called for in the following order: Report of committees

1. Committee on Finance.
2. Committee on Ordinances.
2. Committee on Streets and Sidewalks.
4. Committee on Police.
5. Committee on Sewers and Drains.
6. Committee on Wells, Pumps and Cisterns.
7. Committee on Tax.
8. Committee on Relief.
9. Committee on Electric Lights Street Railroads, etc.
10. Committee on Markets.
11. Committee on Fire Department.
12. Committee on Public Buildings and Grounds.
13. Committee on Public Schools.
14. Committee on Cemetery.
15. Committee on Printing.
16. Committee on Water-works.

17. Committee on Contested Claims and Litigation.

18. Committee on Sanitary Affairs.

19. Committee on Parks.

20. Committee on Bridges.

21. Special Committees.

Communi-
cations.

RULE 18. No communication to the General Council shall be entertained unless the same be in writing.

Record of
rules.

RULE 19. The Clerk shall keep a separate book, in which shall be entered these and all other rules and by-laws which the General Council may pass, and also a book in which shall be entered the several ordinances adopted by the General Council.

Parliamen-
tary rules
govern.

RULE 20. The Mayor, or presiding officer, when the General Council is in session, shall enforce parliamentary rules for its government, so far as they are applicable to such a legislative body, and do not conflict with the rules adopted.

Cushing's
Manual.

RULE 21. Cushing's Manual shall be the recognized exponent of parliamentary law.

Change
in rules.

RULE 22. Any additional rule or rules may, from time to time, be made by the General Council, but no alteration of a rule shall take place, nor the suspension of any rule, without the consent of two-thirds of the members present.

Debate.

RULE 23. No member of the General Council shall speak more than ten minutes on any question under debate, nor more than once on the same question until all who wish to speak shall have opportunity to do so; neither shall any member speak more than twice on the same question without permission.

Only mem-
bers to
speak.

RULE 24. No person, not a member of the General Council, shall speak on any matter pending without the unanimous consent of the members present.

May 7, 1877.

RULE 25. The unfinished business of any meeting shall be laid over to be acted on at the next regular meeting, and to be taken up after resolutions and ordinances.

Reports of
commit-
tees.

RULE 26. All reports of committees on matters referred to or originating with them, shall be written in ink, and

shall, in all cases, be so framed as to clearly indicate the action of the committee; and if the report involves the expenditure of money, it shall, in all cases, show the amount to be expended, or an approximation thereto.

RULE 27. While the General Council is in session its members, as well as the officers of the city in attendance thereon, shall occupy the seats, or positions, in the Council Chamber respectively assigned them, and shall not leave them, except by permission of the Mayor.

Members
and officers
to be
seated.

RULE 28. All petitions presented shall be referred by the chair to the appropriate committee for consideration; such reference, however, being subject to the control of the General Council.

Reference
of petitions

RULE 29. His Honor the Mayor shall, towards the close of each month, appoint a committee of three members of the General Council, one Alderman and two Councilmen, who shall comprise the Monthly Committee on Minutes, and whose duty it shall be during the month for which they are appointed to examine the minutes of the previous sessions of the General Council and Aldermanic Board, regular, adjourned and called, and report in writing, signed by each member, whether they find the same correct or not.

Committee
on minutes

ALDERMANIC BOARD RULES.

1. An ordinance that, having regularly passed the Mayor and Council, requires the concurrence of the Aldermanic Board, shall be read one time and then acted upon.

Ordinances
read one
time.

2. The regular meetings of the Aldermanic Board shall be held at 10 o'clock A. M., on Thursdays following the regular meetings of the Mayor and General Council.

Regular
meetings.

RULES OF ORDER

FOR THE GOVERNMENT OF THE POLICE COMMISSIONERS.

Meeting. RULE 1. The Board will meet at Police Headquarters on the second Monday in each month, at 7:30 o'clock P. M. A majority of the members may convene the Board at any time they may think necessary.

Chairman. RULE 2. The chairman shall take the chair at the hour appointed for any regular, or adjourned, or extra meeting, and shall immediately call the members to order, and, on the appearance of a quorum, shall cause the minutes of the preceding meeting to be read.

Order and decorum. RULE 3. He shall preserve order and decorum, and shall appoint all committees, unless the Board shall otherwise direct, in which case they shall be appointed by ballot.

Chairman *pro tem.* RULE 4. In the absence of the chairman at any stated or regular meeting, the chairman *pro tem.* is vested with all the powers of the chairman during such absence.

Order of business. RULE 5. The following order shall be observed in the transaction of business:

1. Reading the Minutes.
2. Trials.
3. Petitions and Communications.
4. Reports of Committees.
5. Reports of Special Committees.
6. Reports of Officers.
7. Resolutions and Ordinances.

Committee. RULE 6. Every committee shall report upon the subject or subjects referred at the preceding meeting, or show good cause why no report is made.

Report. RULE 7. Every officer whose duty it is made, by order of resolution of the Board, to report at the regular meetings

of the Board, shall punctually perform his duty, or be fined, at the discretion of the Board.

RULE 8. All motions shall be reduced to writing, if the Motion. Chairman or any member of the Board desire it.

RULE 9. In all matters coming before the Board a ma- Majority. jority shall govern.

RULE 10. A motion for adjournment shall always be in Adjourn- order. ment.

RULE 11. No member, while the Board is in session, Session— shall speak on the subject under discussion without first rules, etc. rising from his seat. When more than one member shall rise at or near the same time, the Chairman shall decide in favor of that one who shall first attract his attention. Every speaker shall address the Chair, and no member shall interrupt another while speaking, except to call him to order.

RULE 12. The Chairman shall decide all questions of Question— order, but any member dissatisfied with any of the deci- of order. sions, shall have the right to appeal to the Board.

RULE 13. A motion to reconsider any of the proceedings Reconsid- of the Board will not be entertained, unless it is made by eration. a member who previously voted in the majority, trials excepted.

RULE 14. Any additional rule or rules may, from time Alteration to time, be made by the Board, but no alteration of a rule of rule. shall take place without the consent of two-thirds of the members present.

RULE 15. In the trial of any member of the police force, Trials. charged with the violation of the rules and ordinances, the room shall be cleared, after the testimony and argument have been heard, until the decision of the Board be formed.

RULE 16. No communication to the Board shall be en- Communi- tertained, unless the same be in writing. cations.

RULE 17. The Chairman, when the Board is in session, Parliamen- shall enforce parliamentary rules, as far as they are appli- tary rules. cable to such a body.

WATER WORKS.

BY-LAWS

FOR THE GOVERNMENT OF THE ATLANTA BOARD OF
WATER COMMISSIONERS.

The following By-Laws, Rules and Regulations, and Water Rates were adopted by the Board of Water Commissioners, by virtue of authority granted by act of the Legislature of Georgia. [See sections 49 to 55 of this Code.]

Officers. 1. The officers of the Board shall consist of a President, Vice-President, Secretary and Treasurer, all of whom shall be elected by ballot at the first regular meeting in January of each year, and shall hold their office for the term of one year.

Meetings. 2. There shall be a regular meeting of the Board on the first and third Wednesdays in each month at 4 P. M. Called meetings may be held at such other times as may, in the judgment of the President, or any three members of the Board, be necessary to transact the business of said Board.

President's duties. 3. It shall be the duty of the President to preside at all meetings of the Board; to preserve strict order; to procure at all times the correct meaning and sense of the Board; to conduct the business of the Board under the general parliamentary rules governing deliberative bodies; to call the Board together in extra session whenever, in his judgment, it may become necessary, or whenever requested to do so by any three members of the Board.

Vice-President. 4. It shall be the duty of the Vice-President to preside, and otherwise perform the duties of the President, in the absence of the President.

5. It shall be the duty of the Secretary to keep a correct ^{Secretary.} record of the official acts and doings of the Board in a book provided for the purpose.

6. It shall be the duty of the Treasurer to take charge ^{Treasurer.} of all moneys or funds which may be turned over to him by the Secretary, or from any other source, receipting for and depositing the same to the credit of the Board of Water Commissioners, in such bank in the City of Atlanta, or at such other place, as may be decided upon by said Board.

7. The Board may appoint an Auditor, whose duty it ^{Auditor.} shall be to examine all bills which may be presented against the Board of Water Commissioners, and to approve the same before they shall be paid.

8. A majority of the board shall constitute a quorum for ^{Quorum.} the transaction of business.

9. No real estate, or other property or right-of-way for, ^{Right of way.} or on account of, the Board of Water Commissioners shall be purchased or obtained, except by a resolution of the Board, or through a committee appointed for that purpose.

10. No money shall be borrowed or debt contracted ^{Debts.} binding the Board of Water Commissioners, except by a resolution of the Board, or through a committee appointed for that purpose.

11. The signatures of the President and Secretary to any ^{Signatures to paper.} lawful paper, when signed by authority of the Board, shall be considered as binding upon the Board as if each member had signed separately for himself.

12. All papers, such as deeds, bonds, contracts, etc., ^{Record and filing.} necessary to be recorded, shall be taken by the Secretary, and caused to be placed on record; after which they shall be filed in the archives of the city, or such other place as may be safe, right and proper.

13. It shall be the duty of the Board, whenever the ^{Treasurer and bond.} water bonds shall have been sold, and any money is placed in the hands of the Treasurer, to require said Treasurer to give a bond, with approved security, in the sum of ——— dollars for the faithful performance of his duty.

RULES AND REGULATIONS

GOVERNING THE ATLANTA WATER-WORKS.

Commis-
sioners.

ARTICLE 1. The water-works shall be managed by the Board of Water Commissioners, who are authorized to make such By-Laws and Regulations, elect such officers, and fix such salaries as they may deem necessary for the safe, economical and efficient management of the works. The Board also reserves the right to increase or decrease the number of officers named in these Regulations, at their discretion; and each and every officer of the water-works shall hold his position at the pleasure of the Board.

Superin-
tendent.

ART. 2. The Superintendent shall be the general executive officer of the water-works, and give bond, with satisfactory security, in the sum of five thousand dollars, for the faithful discharge of his duties. The Superintendent shall see that the rules and regulations of the Board are enforced; that all contracts and specifications are fulfilled; that the assessment of water rates are correctly made and attachments are platted; that all money due the water-works is collected and properly deposited, and that all accounts and claims are audited and approved by the Board, after their inspection and endorsement by the Secretary. The Superintendent shall have general supervision over all the operations of the water-works, and shall report to the Board as to its working condition weekly, and make such suggestions and plans for its improvement and extension as may be advantageous to the works. He shall also see that the Secretary performs his duties according to the regulations, and inspect and certify to his accounts, reports, etc. He shall make monthly statements of the quantity and cost of

pipe, extensions and stop-valves and fire-hydrants set, together with the estimates of all work performed during the month.

In January, annually, the Superintendent shall submit a ^{Annual} report to the Board, showing in detail a general and complete record of the operations and expenses of the works for the year preceding, with an estimate for the expenditures for the ensuing year. He shall also supervise the pipe laying, keep the books, if required, and attend to such other duties as the Board may require.

The Superintendent shall also submit a ^{Report} monthly report from the engineer, showing the amount of water pumped, the number and the date of fire alarms, the quantity and cost of fuel and supplies used, and repairs and extensions made in the pumping department. He shall also make out and certify to pay-rolls, monthly bills, and expenses of every description, and keep a complete record thereof for reference; he shall record all specifications, contracts, and make plats of service pipe, attachments and pipe extensions, with the dimensions and cost thereof, for the inspection and approval of the Board.

ART. 3. The Engineer shall have charge of the pumping ^{Engineer.} works, machinery and reservoir; he shall keep a careful account of all fuel, supplies used, and repairs made, and cost thereof, and report to the Superintendent the condition of the machinery whenever required, and make a monthly statement of the revolutions and strokes of the engines, the quantity of water pumped, dates and duration of fire service, and condition of machinery; make out and certify to pay-rolls for his department, test and report quantity, quality and cost of fuel and supplies, to the Superintendent for the inspection and approval of the Board. He shall give bond and security for the faithful performance of the duties in the sum of five thousand dollars.

ART. 4. The Secretary shall give satisfactory bond, in the ^{Secretary.} sum of five thousand dollars, conditioned for the faithful performance of his duties; he shall keep and have charge

Duties of
Secretary.

of the water-work books, papers, pay-rolls and accounts; keep a register of the applications made for water, assessments, permits, hydrants, attachments, water rates and rents, collections, disbursements and receipts; make out bills, keep the minutes of the Board, and submit monthly reports, showing rate of water consumption; water turned on or off, receipts, expenses and financial condition of the water-works, with such other duties as the Board may designate. The introduction of water supply being usually slow as to private consumption, the offices of Superintendent and Secretary may be consolidated until the Board finds it necessary to re-establish the office of Secretary.

Employees.

ART. 5. All employees of the water-works receiving pay exceeding seventy-five dollars per month shall be confirmed by the Board.

Contracts.

ART. 6. No commissioner, officer or employee of the water-works shall, in any manner, be interested, directly or indirectly, in any contract or purchases made by the water-works.

Superin-
tendent.

ART. 7. The Superintendent may purchase material or order repairs for the water-works, not exceeding two hundred and fifty dollars in cost; but in all instances, after having made such purchases or repairs, he must report the necessity and cost of the same at the next meeting of the Board.

Pay-rolls.

ART. 8. All pay-rolls must be certified to by the Superintendent or Engineer and Secretary, and be approved by the Board, and receipted by the employees.

Bills.

ART. 9. The officers of the Board must submit bills monthly, properly certified to by the Superintendent, or Engineer and Secretary.

Duplicates
of orders.

ART. 10. Duplicates must be kept of all orders for supplies or repairs, and disbursements made, for inspection by the Board.

RULES GOVERNING PLUMBERS.

SECTION 1. All attachments by ferrule or otherwise, to <sup>Attach-
ments, etc.</sup> any of the water mains or distributing pipes, shall be done under the supervision and according to the approval of the Superintendent of the water-works.

SEC. 2. Any plumber desiring to do business with the <sup>Plumber's
duty.</sup> water-works shall, before receiving a license, file his petition in the water-works office, giving the name of his firm and place of business. The petition must guarantee that the plumber is thoroughly competent and responsible, and that he will abide by, and be governed by the rules of the water-works made now and hereafter. He shall also give satisfactory bond, indemnifying and saving harmless the water-works from any accidents or damages which may result from his neglect or violation of said rules.

SEC. 3. Plumbers must make full and complete returns ^{Returns.} for all purposes to which water has been applied, under any permit granted to them, stating fully the number and kind of outlets upon the premises, also the kind of meter in use, its number, and where it is located, and said return must be made within forty-eight hours after completion of said work. Nor shall any water be turned on until said return has been made and the work recorded, in accordance with the rules and regulations of the water-works.

SEC. 4. No plumber, or other person, shall make an attachment to any old pipe or water fixtures, nor any pipe <sup>Must have
permission</sup> where water has been turned off, unless permission has been granted to the applicant by the water-works authorities; nor shall any plumber, or other person, alter or extend any water pipes or attachments to conduct any water into any adjoining premises, or additional hydrant, stable, water-closet, urinal, wash-basin, cistern, or fountain, or for any purpose whatever, without obtaining written permission from the water-works authorities for each and every separate modification or extension made; and in every instance, the plumber, after having tested his work, must

turn the water off, and report and return his permit to the water-works office within forty-eight hours after completing his work.

Inserting
ferrule.

SEC. 5. No plumber, or other person, shall insert any ferrule into any water pipe or attachment, unless the applicant for water has first obtained written permission from the water-works authorities; nor shall any ferrule exceed three-fourths of an inch inside diameter.

Material
in streets.

SEC. 6. All material removed in the streets or alleys by the plumber in making his trenches, shall be replaced in as good condition as before disturbed; and no trench shall be left open after night-fall. Obstructions to travel or inconvenience to pedestrians, is positively prohibited in making trenches and attachments.

Service
pipe.

SEC. 7. In every case the service pipe extending from the street mains to the street limits must be of lead or iron. All of the iron pipe must be capable of bearing hydrostatic strain of 300 pounds to the square inch; and the lead pipe must be of the kind named, extra strong.

Stop-cocks
and
location.

SEC. 8. There shall be a brass cock (to be under the control of the consumer) placed on the service pipe line within the premises, and at the expense of the consumer, for the purpose of guarding against leaks or accidents to the pipes on the premises; but in no case will the water-works be responsible for damages resulting from accidents or leaks happening within the premises of the consumer.

Service
pipe, etc.

SEC. 9. All service pipe must be laid at least two feet below the surface of the sidewalks, and be kept in good repair at the expense of the owner or occupant. A suitable brass stop-cock must be located on the service pipe line within the curbstone, which will be made accessible to the water-works authorities for turning water off or on, or by placing a small cast-iron key box over the stop-cock, with a locked cover marked "Water." A heavy penalty will be inflicted on any person or persons who disturb said key-box or stop-cock, except by written permission from the Superintendent.

SEC. 10. Water cannot be turned on or off under any circumstances, to any premises, or for any purpose, but by the authority of the Superintendent, except only by the plumber for testing his work, who must turn the water off immediately thereafter, according to the within rules.

Water—
turning
on and off.

SEC. 11. Any violation of the aforesaid rules and regulations by the plumber, or any other person or persons, will subject the offender, upon conviction before court, to a fine not exceeding treble the amount of damages appearing to have been sustained, besides the cost of said suit. Plumbers not observing these rules and regulations will also forfeit their right to do business with or receive plumbers' permits from the water-works.

Violation
of rules.

SEC. 12. Water will not be furnished to a "hopper closet" unless it is a "self-closing" or "spring-seat hopper," or is provided with a self-closing stop-cock or valve. All urinals must have a self-closing stop-cock attached. This rule will apply to repairs to old fixtures. When the supply is furnished through a meter, the kind of fixture is at the option of the consumer.

Hopper
closet, etc.

SEC. 13. The Water-works Board reserve the right to amend, abridge, modify or add to any of the above rules as experience and public interest may require.

Reserva-
tion.

RULES GOVERNING CONSUMERS.

No. 1. All persons desiring a supply from the water-works must first make application at the water office, stating fully the several and various uses for which water is wanted, and the name of a selected plumber. Such application must be made by the owner of the premises, or duly authorized agent, when a permit will be issued, specifying the particular uses applied for; and when thereafter any other use of water, or a discontinuance of any particular use, a further permit will be issued on application as aforesaid, for extension or addition, or a plumber's certificate

Applica-
tion for
water.

must be furnished the water office for discontinuance, or the rent or rates will go on unchanged until such certificate is furnished.

Damages. No. 2. It is understood that the city will not be liable for any damage that may result to consumers from the shutting off of a water-main or service for any purpose whatever, even in cases where no notice is given, and no deduction from water bills will be made in consequence thereof.

Repairs, etc. No. 3. Persons taking water must keep their own water pipes, and all fixtures connected therewith, in good repair, and protected from frost. They must provide a stop and waste-cock, properly located inside the building, and have the pipes so arranged that the water can be drawn from them whenever and wherever there is danger of freezing.

Two or more supplied through one tap. No. 4. When water shall be supplied to more than one party through a single tap, the bill for the whole supply furnished through such tap will be made to the owner of the property. In case of non-payment the water may be shut off, notwithstanding one or more parties may have paid their proportion to such owner.

Mains—when tapped. No. 5. The mains will not be tapped for builders' use, unless there will be a consumption on the premises after the completion of the building. The location of the said tap, and application, to be made by the owner of the property.

Officers and employes of water works. No. 6. The officers of the water-works, their agents and assistants, may enter the premises of any water taker, at any reasonable time, to examine the pipes and fixtures, the quantity of water used, and the manner of its use; and in case of fraudulent representation on the part of any water taker, or unnecessary waste of water, the payment will be forfeited and the supply of water stopped.

Street and yard sprinklers. No. 7. Street or yard sprinklers cannot be converted into hydrants, jets or fountains, or be allowed to run to waste in the gutters of the streets, or upon lawns or in yards, but must be kept closed, except when used for sprinkling, as intended.

No. 8. No hose allowed to be used without a nozzle, and ^{Nozzle.} no nozzle allowed more than one quarter inch diameter.

No. 9. No hose or fountain allowed to be run in time ^{Fire.} of fire.

No. 10. No premises to be sprinkled except those from ^{Premises.} whom water rent is collected.

No. 11. Any person desiring to have a second service ^{Second service pipe.} pipe run from the mains to his premises, shall be required to pay the whole cost of same, including stop-cock and key-box.

No. 12. Hydrants, taps, hose, water-closets, urinals, baths ^{Hydrants, etc.} or other fixtures, will not be permitted to be kept running when not in actual use.

No. 13. No hydrant, bibb or hose attachment shall be placed in any yard or area of any premises, so situated as to be accessible to persons living in or occupying neighboring premises, unless the owner of the premises first named becomes responsible for and pays the water rent for all persons using water therefrom. A separate rate will be charged for each separate house, store or premises supplied, and if supplied through one pipe and meter, all rates must be paid by one party on one bill.

No. 14. Any water consumer who shall permit a neigh- ^{Neighbors using.} bor, builder, or any other person or persons whomsoever, to use water from his or her fixture, without written permission to do so from the Superintendent, will forfeit their rent advanced, have water turned off, and pay a penalty fixed by the Water Board before water can be again turned on.

No. 15. No permit will be granted for a street hydrant ^{Permits for hydrants.} nor will any one be allowed (except by special permission) to attach a "goose neck," or any appliance whatever to any sprinkler so that water can be drawn on the streets for any purpose other than sprinkling, as specified in the permit.

No. 16. Any person wishing to discontinue the use of ^{Discontinuing use of water.} water supplied from the water-works, must give notice

thereof at the water office, and he will be charged for the use of water until such notice is given.

Continu-
ous flow.

No. 17. No permit granted for a continuous flow from any fixture, however small the outlet, unless a special rate is made or a meter is used.

Non-
payment.

No. 18. When water has been turned off for non-payment, or for any violation of rules, the water will not again be turned on until fifty cents additional is paid for shutting off and turning on.

Rents—
when
collected.

No. 19. Water rents are payable monthly, during the first ten days of the month following consumption. If not paid within that time the water will be cut off.

Failing to
use water.

No. 20. Persons having taps made and failing to use the water, will be required to pay the cost of making said taps, including cost of the stop-cock and key-box.

Meters
required.

No. 21. From and after July 1st, 1885, all water drawn from the city mains, except for fires, sewers, and sprinkling carts, shall pass through a meter, to be furnished by the consumer, and the Superintendent is instructed to give public notice of the passage of this resolution by publishing the same for thirty days in the *Constitution* and *Journal*, and by sending a postal to the office and residence of each rated consumer, and further to notify all owners of private fire fixtures that meters must be attached to the same.

Rates to
consumers.
April 8, '91.

No. 22. Eighty-five cents per month entitles the consumer to use five thousand gallons of water, and all over five thousand gallons is charged at the rate of seventeen cents per one thousand gallons. The same rate per thousand to large and small consumers, and for all purposes for which the water is used, except for that used for extinguishing fire, for which an allowance will be made at the water-works office. A separate rate charged for each store, dwelling or other premises supplied, and if supply is taken through one meter the bill will only be made to one party, but a rate will be charged for each separate premises.

APPENDIX.

Showing date of passage of ordinances providing for paving of streets and of constructing sewers, which are a lien upon property abutting upon such streets and sewers from the date of passage of the ordinances; and also the date of the completion of sidewalks and curbing, the cost of which are a lien upon property abutting on the streets where they are laid, from such date.

1. Ordinances to pave streets.
 2. Ordinances to construct sewers.
 3. Sidewalks completed.
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I.—ORDINANCES TO PAVE STREETS.

Alabama—Whitehall to Central Railroad, February 5th, 1884; Whitehall to Loyd, 1882.

Angier Avenue—Jackson to Boulevard, March 7th, 1891.

Baker—Peachtree to Williams, March 7th, 1891.

Broad—Peachtree to bridge, February 5th, 1884; bridge to Mitchell, February 5th, 1884.

Boulevard—Edgewood to city limits, February 18th, 1889; old city limits to Todd road, April 25th, 1890.

Capitol Place—Peters to Mitchell, January 16th, 1888.

Capitol Avenue—Crumley to Little's Creek, May 18th, 1885; Little's Creek to Ormond, August 3, 1885; Hunter to Crumley, August 11th, 1883.

Cone—Marietta to Church, February 20th, 1888.

Cooper—Whitehall to Rawson, November 7th, 1887.

Courtland—Houston to Forest avenue, December 5th, 1889; Forest avenue to Linden, April 25th, 1890.

Cedar—Peachtree to W. Peachtree, December 4th, 1890.

Crew—Peters to Crumley, May 3, 1886.

Crumley—Washington to Capitol avenue, April 16th, 1888.

Decatur—Bell to Daniel, February 5th, 1884; Peachtree to Bell, May 8th, 1885; Daniel to Cornelia, August 3d, 1885.

Edgewood Avenue—Pryor to Courtland, January 21st, 1888; Courtland to Boulevard, January 21st, 1888; Boulevard to Spruce, April 25th, 1890; Boulevard to Spruce, July 25th, 1890.

Fair, W—Whitehall to Peters, February 4th, 1889.

Fair, E—Peters to Capitol avenue, December 4th, 1890.

Fairlie—Marietta to Church, February 20th, 1888.

Forest Avenue—Calhoun to Jackson, February 6th, 1890; Peachtree to Calhoun, April 18th, 1887.

Forsyth—Hunter to Whitehall, February 5th, 1884; Hunter to Alabama, November 7th, 1887; Alabama to Marietta, February 21st, 1887; Marietta to Peachtree, January 2d, 1888.

Foundry—Marietta to Harris, May 7th, 1888; Marietta to Mangum, February 4th, 1889; Mangum to Hayne, February 20th, 1891.

Garnett—Peters to Pryor, February 20th, 1888; Pryor to Pulliam, March 28th, 1889.

Glenn—Smith to Humphries, April 7th, 1890.

Harris—Peachtree to Luckie, February 9th, 1888.

Hayne—Mitchell to Foundry, February 6th, 1888.

Highland—Fort to Boulevard, February 21st, 1891.

Houston—Peachtree to Pryor, September 7th, 1885; Pryor to Jackson, February 9th, 1888; Jackson to Boulevard, February 6th, 1890.

Hunter—Pryor to Thompson, December 13th, 1886; Washington to Martin, January 21st, 1889; Pryor to Washington, December 1st, 1885; Martin to Fort, April 15th, 1889; Fort to Gullatt, May 23rd, 1889; Tatnall to city limits, May 10th, 1890.

Ivy—Decatur to Houston, January 8th, 1888; Houston to Peachtree, later in 1888.

Jones—Capitol avenue to Connolly, March 7th, 1891.

Linden—Courtland to West Peachtree, February 6th, 1890.

Line—Peachtree to Ivy, September 21st, 1885.

Loyd—Hunter to Decatur, February 2d, 1887; Hunter to Rawson, February 21st, 1891.

Magnolia—Marietta to Vine, December 19th, 1890.

Marietta—Peachtree to Bartow, September 10th, 1883; Bartow to Thurmond, November 21st, 1883; Thurmond to Hunnicutt, December 15th, 1883; Hunnicutt to city limits, January 8th, 1888.

Merritts Avenue—Peachtree to Calhoun, April 18th, 1887; Calhoun to Butler, May 10th, 1890.

Mitchell—Pryor to Forsyth, May 7th, 1887; Forsyth to C. R. R., January 8th, 1888; Central R. R. to Tatnall, March 5th, 1888; Central R. R. to Tatnall, July 2d, 1888; Pryor to Washington.

Nelson—Thompson to Payne, February 20th, 1888.

Peachtree—Railroad to Ellis, February 5th, 1884.

Peachtree, W—Peachtree to corporate limits, December 7th, 1885; Peachtree to corporate limits, February 15th, 1886; old limits to new corporate limits, February 6th, 1891.

Peters—City limits to Railroad, August 8th, 1883; Railroad to Forsyth, September 5th, 1887; Forsyth to E. Fair, April 2d, 1888.

Pine—W. Peachtree to Calhoun, May 10th, 1890.

Ponce de Leon—Peachtree to Myrtle, March 7th, 1890.

Poplar—Peachtree to Cone, January 8th, 1889.

Powers—W. Peachtree to Williams, April 25th, 1890.

Pryor—Railroad to Mitchell, February 5th, 1884; Mitchell to Richardson, February 5th, 1884; Railroad to Peachtree, March 14th, 1885; Richardson to Georgia avenue, February 9th, 1888; Georgia avenue to new city limits, February 21st, 1891.

Pulliam—Fair to Richardson, February 9th, 1888.

Rawson—Pryor to Capitol avenue, February 7th, 1889.

Smith—Whitehall to Richardson, February 2nd, 1887;
Richardson to Glenn, February 20th, 1888.

Spring—Marietta to Pine, January 8th, 1888; Harris to Powers, December 4th, 1890; Marietta to Harris, February 18th, 1889.

Station House Alley—Pryor 185 feet west, June 17th, 1889.

Thompson—Peters to Garnett, March 7th, 1891; Hunter to Peters, March 5th, 1888.

Wall—Loyd to Pryor, August 15th, 1887; Pryor to Peachtree, September 19th, 1887.

Walton—Peachtree to Marietta, February 20th, 1888.

Washington—Crumley to Ormond, January 21st, 1889; Ormond to New City Limits, February 25th, 1891; Alabama to Crumley, October 3rd, 1883.

Wheat—Peachtree to Boulevard, February 5th, 1884.

Whitehall—Wall to Peters, February 5th, 1884; Peters to Fair, March 15th, 1886; Peters to McDaniel, April 18th, 1887.

Windsor—Whitehall to Rawson, January 16th, 1888; Rawson to Richardson, February 9th, 1888; Rawson to Richardson, November 5th, 1888.

II.—SEWERS.

Ellis to Wheat, between Butler and Fort, through property of S. C. Hitchcock, E. G. Roberts, Smith & Beard, Lotta Sims, J. T. Renauff, J. B. Thompson, J. F. Green and others; April 25th, 1890.

Along Loyd, from Fair to Alabama, through Alabama to Pryor, along Pryor to Wall, thence along Wall to Peachtree; April 24th, 1890.

Harris, along Hayden to Luckie, thence along Luckie to Bartow; April 25th, 1890.

From Pryor, along Fair to Loyd, and from Pulliam to Washington; May 10th, 1890.

From Jackson, along Highland to Hilliard, along Hilliard to the ravine near Wilson street; May 10th, 1890.

Butler to Hilliard, through property of Abram Todd, Peter Grant, L. P. Thomas, L. F. Smith's estate, M. H. Miller, W. G. Herndon, Emma Davis, C. C. Carter, Peter Dillard, Rebecca Mitchell, Carrie T. Brown, C. J. Vaughn, S. A. Wylie, Romanoff & Boland, Henry Johnson, M. Armstrong, D. W. Wynne, Louisa Thomas, Isham Daniel, A. E. & J. Kelly, D. H. Dougherty, D. T. Green, P. M. Ozburn, J. M. Alexander, Rufus Cooper, Floyd Summers, Anna B. Thomas, B. C. Smith, Eliza Penn, H. Dupree, C. King, Brooks Bros., James Bridge and others; December 4th, 1890.

Near Cain, along Fort to Hilliard; March 23rd, 1891.

From Spring, along Powers to Williams, along Williams to Alexander, and along Alexander to Orme; May 10th, 1890.

From Glynn, along Connally to Fair, along Fair to King, along King to Georgia railroad; May 10th, 1890.

From Hunnicutt street, along Spring street to Hunnicutt avenue; May 24th, 1890.

From Calhoun, along Jenkins to Courtland, thence along Courtland to Edgewood avenue; June 21st, 1890.

From Pine Street, along Venable to Merritts avenue; thence along Merritts avenue to McAfee; June 21st, 1890.

From Martin street, along Hunter to sewer between Terry and Butler; June 21st, 1890.

From Jackson street to main sewer on Pine street, through property of E. A. Atkinson, Fannie Banks, Kate Mullinax, Annie Ford, A. M. Reinhardt, Ashford, Smith, Reinhardt and Thompson, S. E. Gabbett and others; July 14th, 1890.

Harris to Baker, through property of McMillan and Snow, J. W. English, Chas. Tidwell, J. C. Avery and others; July 12th, 1890.

Georgia avenue, through property of Wm. McNaught, M. A. Smith, C. H. Smith, A. L. Peck and others; July 12th, 1890.

Frazier along Fair to King; July 25th, 1890.

Windsor to Ira, through property of W. J. VanDyke, J. L. Bell, L. M. Crawford, A. J. Shropshire, T. S. Mitchell, J. W. Lively, Emma Brown, Sim Crawford, Mrs. E. E. Nunnally and others; July 25th, 1890.

From Peters along Whitehall to Mitchell; August 8th, 1890.

From ravine on Old Wheat along that street to Bell, thence along Bell to terminus of egg-shaped sewer near Raspberry; November 6th, 1890.

Baker, northward to city limits, through the property of Rena Armstrong, Earl Davis, J. S. Holliday, Gramling, Nutting & Co., A. E. Boynton, T. N. Chase, F. P. Rice, L. B. Nelson, S. E. Gabbett, S. M. Inman, Ashford, Smith & Co., Tolbert & Drummond, W. S. Bell, M. Hall, Peters Land Co., James Hartman, and others; February 6th, 1890.

Crew to near city limits, through the property of M. R. Hopkins, J. L. Brown, F. L. Rankin, F. Hampton, Park Avenue Land Co., H. H. Goldsmith, S. A. Werner, A. D. Adair, Mrs. Lena Swift, Mrs. Wing, Mrs. Kemodle, Hattie Buckhardt, Anna Fagan, and others; February 6th, 1891.

Hunter, along Fraser to Fair; February 21st, 1891.

From Butler, along Forest avenue to Jackson; March 7th, 1891.

City limits, along Pryor to old sewer, between Glenn and Georgia avenue; March 7th, 1891.

Jackson, along Houston to the Boulevard; March 7th, 1891.

From Formwalt street, south of Georgia avenue, through the property of J. W. Alexander and H. C. Sawtell; March 23d, 1891.

From 3d street along West Peachtree to 5th street; March 23d, 1891.

From Davis street along Magnolia to branch near Walnut street; April 13th, 1891.

From Cain street along James to Peachtree; April 13th, 1891.

From Smith street along Richardson to near Ira; April 23d, 1891.

From Mangum along Peters to an alley, connecting Peters with Walker, opposite Jeannette; April 13th, 1891.

Along Wheat and Peachtree street sewer, from near corner of Pryor and Wheat streets, to James and Peachtree; March 20th, 1890.

Along Pryor street from near corner of Rawson and Pryor streets to corner of Fair and Pryor; March 20th, 1890.

Along Hunter street sewer between Loyd and Pryor streets; March 17th, 1890.

Along Jackson street from near Edgewood avenue to North avenue; April 7th, 1890.

Along Butler from Harris street to branch in Ellis street; April 7th, 1890.

Along Pryor street from Wheat street to Houston street; August 19th, 1889.

Along Forest avenue from Butler street to Calhoun street; August 19th, 1889.

Along West Peachtree street from a point 185 feet north of Linden street to North avenue; September 19th, 1889.

Along Germunden street from ravine on said street to Beerman street, and thence along Beerman to Peters street; February 3d, 1890.

Along old Wheat street from Branch near Valentine to Hilliard street; February 3d, 1890.

Along Whitehall from Mitchell street to Hunter street; April 10th, 1890.

Along Pine from Peachtree to Jackson street to main sewer near Currier street; March 17th, 1890.

Along Pulliam street from Fair street to Clark street; May 20th, 1889.

Along Foundry street from Marietta street to W. & A. R. R. ; May 23d, 1889.

Along Fort street from Scofield to Decatur street ; June 20th, 1889.

Along Decatur from Fort to Bell street ; June 20th, 1889.

Along North avenue from Peachtree street to main sewer between Calhoun and Fort street ; July 4th, 1889.

Along North Pryor street from Decatur street to Wheat street ; July 4th, 1889.

From Wheat to Old Wheat, from property of Mrs. M. G. Duck on Wheat street through the property of J. B. Thompson, Gate City Street R. R. Co. and J. C. Jenkins ; July 1st, 1889.

Along Markham street from Davis street to Elliot street ; March 4th, 1889.

Along Edgewood avenue from Pryor street to Bell street March 4th, 1889.

Along Rawson street from Washington street to main sewer near Pryor street ; March 18th, 1889.

Along Spring street and Harris street sewer from Cain street to the Orme street sewer ; April 1st, 1889.

Along Boulevard from Edgewood avenue to the city limits ; April 1st, 1889.

Along Pryor street from Fair to main sewer near Fair April 1st, 1889.

Along Fair street from near Forsyth street to Central railroad ; April 15th, 1889.

Along Clifford street from Cain to Ellis ; May 20th, 1889.

Peters to Thompson street, thence along Thompson.

From Forsyth street to Brotherton street ; May 20th, 1889.

Foundry, along Ellis to Calhoun, thence along Calhoun to Cain.

Along Richardson street from Ira to Windsor street ; July 16th, 1888.

Along Wheat street from North Pryor street to main sewer near Bell street.

Along Houston street from Courtland street to North Pryor street; September 3d, 1888.

Along Edgewood avenue from Bell to Jackson; November 8th, 1888.

Along Ellis street from Ivy to Butler street; March 5th, 1888.

Along Whitehall street from Mitchell to Hunter street; January 21st, 1888.

Along Spring street from Walton to James street; January 21st, 1888.

Along Foundry street from Western and Atlantic railroad to Haynes street; January 21st, 1888.

West Peachtree to Cedar and an alley, through the property of L Mims, W. B. Richards, H. W. Hilliard and others; November 7th, 1890.

Along Capital avenue from Crumley to Little's branch; June 6th, 1885.

Along Capital avenue from Crumley to Fulton; June 25th, 1886.

Along Mitchell from Whitehall to Forsyth; July 4th, 1887.

Along Decatur from Peachtree to Loyd; July 4th, 1887.

Along Houston from Courtland to Valentine; March 5th, 1888.

Along Wheat from Ivy to Bell; March 5th, 1888.

Along Windsor from Rawson to Richardson; April 16th, 1888.

Along Houston from Courtland to Butler street branch; May 7th, 1888.

Along Courtland from Cain to within 130 feet of Ellis street; March 4th, 1889.

Along Edgewood avenue from Jackson to Ella; March 4th, 1889.

From the present terminus of the Connally street sewer to the present terminus of the jail street sewer, and thence through private property (owners names not given) to Connally street; May 24th, 1890.

III.—SIDEWALKS—COMPLETED WHEN.

West Peachtree, Simpson to Pine; 1883.

E. Peters, Whitehall to Washington; 1883.

Capitol avenue, Fulton to Crumley; February 24th, 1883.

Forest avenue, Peachtree to Calhoun, March 12th, 1883.

Cone, from Marietta to James; August, 1883.

Houston, from Pryor to Calhoun; May 7th, 1883.

Hunter, from McDonough to country; May 15th, 1883.

Forsyth, from Peachtree to Whitehall; April 25th, 1883.

Thompson, from Mitchell to Hunter; June 16th, 1883.

Foundry, from Luckie to W. & A. R. R.; May 24th, 1883.

Marietta, from Baker to Hunnicutt; May 24th, 1883.

Cooper, from Whitehall to Rawson; August 1st, 1883.

Loyd, from Hunter to Fair; June 4th, 1883.

Luckie, from Broad to Simpson; June 21st, 1883.

Mangum, from Mitchell to Foundry; July 10th, 1883.

McDonough, from Richardson to Crumley; August 4th, 1883.

Brotherton, from Pryor to Forsyth; July 23d, 1883.

Peters, from Fair to city limits; August 8th, 1883.

E. Fair, from McDonough to Hill; August 16th, 1883.

Frazier, from Hunter to Fulton; August 17th, 1883.

Ellis, from Peachtree to Calhoun; November 1st, 1883.

Calhoun, from Decatur to Ellis; October 15th, 1883.

Crew, from Fair to Crumley; October 11th, 1883.

Walker, from Haynes to Larkin; July 10th, 1885.

Jones avenue, from W. & A. R. R. to Gray; July 22d, 1885.

Harris, from Peachtree to Spring; July 22d, 1885.

Rawson, from Washington to Windsor; August 10th, 1885.

Merritts avenue, from Peachtree to Calhoun; August 8th, 1885.

Filmore, from Moore to Bell; October 17th, 1885.

Spring, from Baker to Simpson; October 19th, 1885.

Currier, from Peachtree to Calhoun; November 6th, 1885.

Jones, from Capitol avenue to Washington; November 1st, 1885.

Capitol avenue, from Crumley to Ormond; November 23d, 1885.

Line, from Peachtree to Ivy; November 23d, 1885.

Decatur, from Daniel to Cornelia; November 3d, 1885.

Whitehall, from McDaniel to Humphries; December 10th, 1885.

Walker, from Larkin to Peters; December 10th, 1885.

Markham, from E. T. V. & G. R. R. to Mangum; December 10th, 1885.

Bartow, from Marietta to Luckie; December 11th, 1885.

Peck's Triangle; December 12th, 1885.

Line, from Pryor to Ivy; December 10th, 1885.

Bell, from Decatur to Filmore; December 18th, 1885.

Calhoun, from Forest avenue to Currier; December 18th, 1885.

Ellis, from Peachtree to Church; December 18th, 1885.

Houston, from Calhoun to Butler; December 18th, 1885.

Windsor, from Rawson to Richardson; December 22d, 1885.

Garnett, from Pryor to Loyd; December 22d, 1885.

Garnett, from Whitehall to Pryor; January 23d, 1886.

Hood, from Whitehall to Windsor; February 5th, 1886.

Simpson, from W. Peachtree to Spring; May 21st, 1886.

Magnolia, from Railroad to Elliot; May 21st, 1886.

West Peachtree, from Pine to city limits; May 21st, 1886.

Fort, from Houston to Highland avenue; June 30th, 1886.

Jenkins, from Calhoun to Butler; January 29th, 1886.

Houston, from Butler to Jackson; July 21st, 1886.

Highland avenue, from Fort to Jackson; August 2d, 1886.

Houston, from Jackson to Boulevard ; August 17th, 1886.
Thompson, from Garnett to Castleberry ; August 24th, 1886.

Formwalt, from Whitehall to Rawson ; September 2d, 1886.

East Fair, from Hill to Gullatt ; September 18th, 1886.
Jackson, from Chamberlin to Angier ; October 19th, 1886.
Whitehall, from Humphries to Peters ; November 5th, 1886.

Kimball, from Peachtree to West Peachtree ; November 26th, 1886.

Pryor, from Richardson to Anderson ; November 27th, 1886.

Cooper, from Rawson to Eugenia ; no date.

Smith, from Richardson to Glenn ; December 26th, 1886.

Thompson, from Peters to Garnett ; December 26th, 1886.

Fair, from Peters to Walker ; June 14th, 1887.

West Cain, from Spring to Luckie ; June 11th, 1887.

Powers, from Williams to Peachtree ; June 16th, 1887.

Castleberry, from Forsyth to Central railroad ; June 26th, 1887.

Rawson, from Capitol avenue to Martin street ; July 2d, 1887.

Crumley, from Washington to Capitol avenue ; December 14th, 1887.

Williams, from Baker to Simpson ; November 15th, 1887.

Simpson, from Spring to Williams ; November 15th, 1887.

Forest avenue, from Calhoun to Jackson ; December 9th, 1887.

Jackson, from Chamberlin to Pine ; December 9th, 1887.

Hill, from Fair to Glynn ; December 9th, 1887.

Rawson, from Capitol avenue to Washington ; December 12th, 1887.

Alexander, from W. Peachtree to Williams ; December 12th, 1887.

Williams, from Cain to Baker ; January 19th, 1887.

Jones, from Fraser to Terry; January 19th, 1887.

Fort, from Wheat to Houston; January 20th, 1887.

Foundry, from W. & A. railroad to Haynes; February 29th, 1884.

Ellis, from Peachtree to Calhoun; February 29th, 1884.

Collins, from Decatur to Harris; July 25th, 1884.

Wheat, from Collins to Boulevard; July 28th, 1884.

Butler, from Houston to McDonough; August 23d, 1884.

Mangum, from Mitchell to Nelson; August 27th, 1884.

W. Mitchell, from Mangum to near Maple; August 27th, 1884.

Haynes, from Mitchell to Peters; August 27th, 1884.

Gilmer, from Ivy to Butt; August 27th, 1884.

Church, from Peachtree to Cain; August 27th, 1884.

Orme, from Walton to James; August 27th, 1884.

Farlie, from Walton to Church; September 1st, 1884.

Decatur, from Young to Daniel; September 27th, 1884.

Moore, from East Fair to Filmore; September 27th, 1884.

Pulliam, from East Fair to Clark; October 21st, 1884.

East Cain, from Peachtree to Calhoun; October 21st, 1884.

Thompson, from Mitchell to Nelson; October 24th, 1884.

Nelson, from Thompson to Haynes; October 24th, 1884.

Fair, from Capitol avenue to Central railroad; November 3d, 1884.

Davis, from West Mitchell to Magazine; November 3d, 1884.

Haynes, from Chapel to West Peters; November 3d, 1884.

Jones, from Capitol to Fraser; November 3d, 1884.

Bell, from Hunter to Decatur; November 3d, 1884.

Clark, from McDonough to Fraser; November 8th, 1884.

Terry, from Railroad to East Fair; November 8th, 1884.

East Harris, from Collins to Ivy; November 8th, 1884.

Haynes, from Walker to Chapel; November 15th, 1884.

Smith, from Whitehall to Richardson; November 16th, 1884.

Spring, from Marietta to Baker; December 2d, 1884.

Baker, from Spring to Williams; December 30th, 1884.

Wheat, from Collins to Calhoun; April 21st, 1885.

Calhoun, from Currier to Pine; February 13th, 1888.

Howard, from Peachtree to West Peachtree; March 26th, 1888.

Richardson, from Pryor to Windsor; April 20th, 1888.

West Simpson, from G. P. R. R. to Haynes; April 12th, 1888.

Simpson, from Marietta to Orme; April 12th, 1888.

Cain, from Marietta to Spring; April 12th, 1888.

Harris, from Luckie to Williams; May 14th, 1888.

Marietta, from Hunnicutt to city limits; May 24th, 1888.

Baker, from Peachtree to Calhoun; May 29th, 1888.

Mitchell, from Magazine to Tatnall; May 3d, 1888.

Stonewall, from Walker to High; June 18th, 1888.

Humphries, from Whitehall to Wells; June 27th, 1888.

Thompson, from Peters to Hunter; June 27th, 1888.

Nelson, from Haynes to Chapel; July 24th, 1888.

Rawson, from Hood to Smith; August 4th, 1888.

McDaniel, from Whitehall to Crumley; August 4th, 1888.

Fair, from Walker to Vine, August 22d, 1888.

Georgia avenue, from Capitol avenue to Martin; August 22d, 1888.

Orange, from Windsor to Hood; September 3d, 1888.

Brotherton, from Pryor to Thompson; September 3d, 1888.

Haynes, from Magnolia to Foundry; October 18th, 1888.

North avenue, from Peachtree to Plum; October 26th, 1888.

Fulton, from Pulliam to Martin; December 10th, 1888.

Grant, from Hunter to Logan; October 31st, 1888.

Boulevard, from Decatur to Houston; November 26th, 1888.

Richardson, from Windsor to McDaniel; November 26th, 1888.

- Orange, from Hood to Smith ; December 3rd, 1888.
Jones, from Grant to Hill ; December 10th, 1888.
Larkin, from Walker to Chapel ; March 1st, 1889.
Washington, from Crumley to Ormond ; May 23d, 1889.
Mitchell, from Pryor to Washington ; May 23d, 1889.
Jones, from Terry to Hill ; May 23d, 1889.
Hayden, from Luckie to Simpson ; October 8th, 1889.
Plum, from Corput to North avenue ; October 8th, 1889.
Luckie, from Simpson to Davis ; October 8th, 1889.
Mills, from Marietta to Venable ; October 8th, 1889.
Alexander, from Marietta to Williams ; October 8th, 1889.
Luckie, from Dairy to North avenue ; October 8th, 1889.
Edgewood avenue, from Pryor to Calhoun ; November 8th, 1889.
Cooper, from Richardson to Georgia avenue ; November 8th, 1889.
Crumley, from Pryor to Cooper ; November 8th, 1889.
Alice, from Pryor to Pulliam ; November 8th, 1889.
Richardson, from Pryor to Capitol avenue ; December 8th, 1889.
Grant, from Decatur to Hunter ; December 8th, 1889.
Kelley, from Fair to Glynn ; December 8th, 1889.
Humphries, from Wells to Glenn ; December 8th, 1889.
Humphries, from Peters to Chapel ; December 8th, 1889.
Peters, from Washington to Crew ; December 23d, 1889.
Garnett, from Loyd to Fair ; December 23rd, 1889.
Earle, from Marietta to Luckie ; January 7th, 1890.
Connally, from Fair to Glynn ; January 7th, 1890.
Yonge, from Decatur to Wheat ; February 15th, 1890.
Spring, from Simpson to Pine ; March 1st, 1890.
Grant, from Fair to Glynn ; April 2nd, 1890.
Logan, from Grant to Hill ; April 2nd, 1890.
Chapel, from Elliott to Mangum ; see council minutes, Page 65, line 11, May 6th, 1889.
Elliot, from Chapel to Mitchell ; April 4th, 1890.
Washington, from Little to Ormond ; April 12th, 1890.
Edgewood, from Calhoun to Boulevard ; April 4th, 1890.

- Edgewood, from Boulevard to Ella ; May 3d, 1890.
Hunnicut, from Marietta to Luckie ; May 16th, 1890.
Hull, from Simpson to Luckie ; May 16th, 1890.
Magnolia, from Marietta to Davis ; June 25th, 1890.
Rhodes, from Railroad to Davis ; June 25th, 1890.
Harris, from Orme to Hayden ; June 25th, 1890.
Boulevard, from Houston to Highland ; June 25th, 1890.
Courtland, from Forest avenue to Harris ; July 12th, 1890.
Crumley, from Pryor to Washington ; August 6th, 1890.
Crew, from Humphries to McDaniel ; August 22nd, 1890.
Mangum, from Nelson to Peters ; August 22nd, 1890.
Fair, from Peters to Railroad ; August 22nd, 1890.
Crumley, from Cooper to McDaniel ; August 22nd, 1890.
Chapel, from Mangum to Leonard ; September 22nd, 1890.
Jones avenue, put down ; October 7th, 1890.
North avenue, from Peachtree to Calhoun ; October 7th, 1890.
Cain, from Fort to Jackson ; October 22nd, 1890.
Calhoun, from Houston to Decatur ; October 22nd, 1890.
Foundry, from Mangum to Davis ; October 22nd, 1890.
Hilliard, from Decatur to Wheat ; November 22nd, 1890.
Boulevard, from alley near Highland to Old Wheat ;
December 8th, 1890.
Linden, from Peachtree to Courtland ; December 8th, 1890.
Bell, from Gilmer to Edgewood ; January 12th, 1891.
Courtland, from Pine to Linden ; January 15th, 1891.
Frazier, from Fulton to Georgia avenue ; February 10th, 1891.
Rice, from Boulevard to Jackson ; February 10th, 1891.
Boulevard, from Highland to near Adams ; February 10th, 1891.
Fort, from Decatur to Filmore ; February 10th, 1891.
Pine, from Peachtree to Calhoun ; March 4th, 1891.
Cedar, from Peachtree to West Peachtree ; March 13th, 1891.

Glenn, from McDaniel to Smith ; May 13th, 1891.
Jones, from Formwalt to Pryor ; May 13th, 1891.
Hunter, from Mangum to Davis ; May 13th, 1891.
Ira, from Hood to Glenn ; May 13th, 1891.
Hilliard, from Highland to Ellis ; May 22nd, 1891.

CITY TAXES.

The following facts as to the method of assessing and collecting city taxes, the rate of tax, property subject, the opening and closing of the tax books, etc., is published here for general information :

1. *Assessments.* The assessment of real estate is made by the city Tax Assessors and Receivers. It is not to exceed the cash market value of the property. Personalty may also be assessed in the same manner as real estate, but is usually valued by the owner, subject to the revision of the Assessors.

2. *What is subject.* All property taxable under the laws of Georgia is likewise subject to city taxation if found in the City of Atlanta, including also personalty belonging to residents of the city, even if the personalty be outside its limits.

3. The rate of taxation is limited by Charter to one and one-half per cent. In case of an emergency an additional tax of one-half of one per cent. may be levied. This emergency tax has never been laid or collected.

4. *Special Taxes.* These are : 1. A sanitary tax of three dollars a lot levied on lots in the sanitary limits, whether connected with sewers or not. 2. A street tax of one dollar, which all male residents of the city between 16 and 50 years of age must pay, except those expressly exempted by State law from road duty.

5. *Tax Year.* The tax year runs from April 1st to March 31st. But the street tax year runs from July 1st to June 30th.

6. *Opening and Closing of Books.* Books to receive tax returns open April 1st and close May 20th each year. The collection of taxes open June 1st and close September 20th each year.

7. *Penalties.* A failure to return property for taxation causes a penalty of ten per cent. to be added to its value, and it is taxed accordingly. Street taxes not returned are doubled. The street tax is in lieu of road work. If not paid, the party liable may be summoned to work the streets and, on failure to do so, may be fined not less than ten dollars. Failure to pay taxes before the books are closed also adds the expense of issuing and collecting the tax executions.

REAL ESTATE OWNED BY CITY OF ATLANTA.

ENGINE HOUSES.

Hook and Ladder	\$ 18,000	
Engine House No. 1	20,000	
Engine House No. 2	10,000	
Engine House No. 3	12,500	
Engine House No. 4	8,000	
Engine House No. 5	12,000—\$	80,500

SCHOOLS.

Walker Street School	19,500	
Boys' High School	18,500	
Girls' High School	42,000	
Ivy Street School	13,700	
Crew Street School	17,200	
Marietta Street School	16,700	
Fair Street School	20,400	
Calhoun Street School	18,700	
Ira Street School	21,125	
Davis Street School	11,125	
Boulevard School	26,250	
Summer Hill School	13,000	
Houston Street School	8,900	
Mitchell Street School	11,000	
Gray Street School	19,850	
D. Mayer school lot	300	
Fraser Street School	20,000	
Wallace Street School	20,000—\$	318,350

MISCELLANEOUS.

Station House	25,000	
Vacant property Humphreys and Chapel streets	200	
Vacant property Loyd and Fair streets	1,000	
Vacant property—old Magazine, 8½ acres	10,000	
Vacant property Peters, Fair and Crew streets	1,000	
Vacant property Marietta, near North avenue	300	
Vacant property—3 fronts on Spring street	600	
Oakland Cemetery lots and building	10,000—\$	48,400

PROPERTY OUTSIDE CITY LIMITS.

Water-works—268 acres	1,000,000	
Grant Park—144 acres	500,000	
Stockade Farm—96 acres	100,000—\$	1,600,000
Total		\$ 2,046,950
Assessed value of real estate	30,729,894	
Personal	11,906,605—\$	42,636,499

BONDED DEBT OF ATLANTA, JANUARY, 1891.

Date of Issue.	No. of Bonds.	Amount of Issue.	Rate of Interest.	When and Where Payable.	Date of Law Authorizing Issue	Interest Where Payable.	Amount of Interest.	Interest, when Payable.	For What Purpose Issued.
Jan. 1, 1857.....	116	\$ 116,000 00	8	per et July 1, 1892, Park Bank, New York.....	Mar. 16, 1866		9,280 00	Jan. "	{ Streets, bridges, floating debt, etc.
Jan. 1, 1857.....	66	33,000 00	8	per et July 1, 1892, Park Bank, New York.....	Mar. 16, 1866		2,640 00	" "	{ Georgia Air-Line R. R. Co.
Jan. 1, 1870.....	300	300,000 00	7	per et Jan. 1, 1899, Park Bank, New York.....	Nov. 11, 1869		21,000 00	" "	{ Floating debt
Oct. 1, 1871.....	100	100,000 00	8	per et Jan. 1, 1902, Park Bank, New York.....	Aug. 25, 1871		8,000 00	" "	{ Floating debt
Aug. 1, 1872.....	100	100,000 00	8	per et Jan. 1, 1892, Park Bank, New York.....	July 13, 1872		8,000 00	" "	{ Georgia Western Railroad.
May 1, 1872.....	200	300,000 00	8	per et July 1, 1902, Park Bank, New York.....	Mar. 9, 1872		24,000 00	" "	{ Replaced matured bonds.
May 1, 1872.....	36	18,000 00	8	per et Jan. 1, 1902, Park Bank, New York.....	Mar. 9, 1872		1,440 00	" "	{ First series Water bonds.
Jan. 1, 1874.....	298	298,000 00	7	per et Jan. 1, 1907, Fourth Nat. Bank, N. Y.	Sept. 23, 1870		20,860 00	" "	{ Second series Water bonds.
Jan. 1, 1874.....	29	29,000 00	7	per et Jan. 1, 1904, Fourth Nat. Bank, N. Y.	Sept. 23, 1870		2,030 00	" "	{ Redemption bonds.
Jan. 1, 1874.....	100	100,000 00	7	per et Jan. 1, 1897, Atlanta, Ga.	Oct. 19, 1876		7,000 00	" "	{ Redemption bonds.
Jan. 1, 1877.....	50	50,000 00	8	per et Jan. 1, 1897, Atlanta, Ga.	Oct. 19, 1876		4,000 00	" "	{ To fund floating debt.
Jan. 1, 1877.....	55	27,500 00	8	per et Jan. 1, 1892, Park Bank, New York.....	Sept. 1, 1879		2,200 00	" "	" "
Oct. 1, 1879.....	80	40,000 00	6	per et Jan. 1, 1892, Park Bank, New York.....	Sept. 1, 1879		2,400 00	" "	" "
Oct. 1, 1879.....	80	40,000 00	6	per et Jan. 1, 1892, Park Bank, New York.....	Sept. 1, 1879		2,400 00	" "	" "
Oct. 1, 1879.....	50	50,000 00	6	per et Jan. 1, 1892, Park Bank, New York.....	Sept. 1, 1879		2,000 00	" "	" "
Oct. 1, 1879.....	50	50,000 00	6	per et Jan. 1, 1896, Park Bank, New York.....	Sept. 1, 1879		2,000 00	" "	" "
Oct. 1, 1881.....	68	68,000 00	5	per et July 1, 1911, Atlanta or New York.....	Feb. 7, 1881		3,400 00	" "	{ Redemption bonds.
July 1, 1881.....	11	55,500 00	5	per et July 1, 1911, Atlanta or New York.....	Feb. 7, 1881		25 00	" "	{ Redemption bonds.
Jan. 1, 1881.....	111	55,500 00	6	per et Jan. 1, 1914, Atlanta or New York.....	Oct. 15, 1883		3,330 00	" "	{ Redemption bonds.
Sept. 1, 1883.....	52	52,000 00	5	per et Sept. 1, 1914, Atlanta or New York.....	Oct. 15, 1883		2,600 00	" "	{ Redemption bonds.
July 1, 1886.....	116	116,000 00	4 1/2	per et July 1, 1916, Atlanta or New York.....	July 1, 1886		5,220 00	" "	{ Redemption bonds.
Jan. 1, 1887.....	22	22,000 00	4 1/2	per et Jan. 1, 1917, Atlanta or New York.....	Feb. 1, 1886		990 00	" "	{ Redemption bonds.
Jan. 1, 1888.....	43	21,500 00	4 1/2	per et Jan. 1, 1918, Atlanta or New York.....	Feb. 1, 1886		967 50	" "	{ Redemption bonds.
Jan. 1, 1888.....	50	25,000 00	4 1/2	per et Jan. 1, 1919, Atlanta or New York.....	Nov. 5, 1888		1,125 00	" "	{ Redemption bonds.
Jan. 1, 1889.....	124	124,000 00	4	per et Jan. 1, 1920, Atlanta or New York.....	Oct. 8, 1889		4,960 00	" "	{ Redemption bonds.
Jan. 1, 1890.....	36	36,000 00	4	per et Jan. 1, 1921, Atlanta or New York.....	Nov. 3, 1890		1,440 00	" "	{ Redemption bonds.
Jan. 1, 1891.....		\$ 2,212,000 00					\$ 147,707 50		
						National Park Bank, New York, and Atlanta, Ga.			

MAYORS AND MEMBERS OF COUNCIL
OF THE
CITY OF ATLANTA,

FROM 1848 TO 1891, INCLUSIVE.

(THOSE MARKED * ARE DEAD.)

1848.

Mayor—Moses W. Formwalt.*

Councilmen.

Benjamin F. Bomar,*	James A. Collins,*
Jonas S. Smith,*	Anderson W. Walton,
R. W. Bullard,*	Leonard C. Simpson.*

1849.

Mayor—Benjamin F. Bomar.*

Councilmen.

Jonas S. Smith,*	P. M. Hodge,
Ira O. McDaniel,*	J. A. Hayden,*
A. B. Forsyth,*	Henry C. Holcombe.*

1850.

Mayor—Willis Buell.

Councilmen.

Joel Kelsey,*	P. M. Hardin,
H. C. Holcombe,*	S. T. Biggers,
J. T. Humphries,*	W. W. Roark.*

1851.

Mayor—Jonathan Norcross.

Councilmen.

J. T. Humphries,*	W. W. Roark,*
J. A. Hayden,*	John Jones,
Paschal House,*	D. McSheffrey.*

1852.

Mayor—Thomas F. Gibbs.*Councilmen.*

Stephen Terry,*	L. C. Simpson,*
——— Gunby,*	J. Norcross,
I. O. McDaniel,*	R. E. Mangum.*

1853.||

Mayor—John F. Mims—William Markham.**Councilmen.*

J. A. Hayden,*	L. C. Simpson,*
W. M. Butt,*	J. Winship,*
J. Norcross,	J. I. Whitaker,*
I. O. McDaniel.*	

1854.†

Mayor—William M. Butt.**Councilmen.*

J. I. Whitaker,*	J. B. Peck,
W. D. Ruggles,	J. R. Swift,*
L. C. Simpson,*	J. S. Oliver,
W. W. Baldwin,	J. F. Alexander,
Paschal House,*	John W. Thompson,
John Farrar,*	Eli J. Hulsey.*
John Glen,	

1855.‡

Mayor—Allison Nelson*—John Glen.*Councilmen.*

John Glen,	U. L. Wright,*
W. W. Baldwin,*	Thomas Kile,*
John Farrar*	C. Powell,*
John W. Thompson,	Thomas M. Dernell,*
C. H. Strong,	Robert M. Clarke,
W. Barnes,*	Thomas C. H. Wilson.

||Mims resigned October 29, 1853, and Markham sworn in November 14, 1853.
J. Norcross resigned July 4, 1853. Whitaker sworn in July 16, 1853.

†J. S. Oliver resigned March 31, 1854. J. F. Alexander sworn in April 18, 1854.
Paschal House resigned April 21, 1854. John W. Thompson sworn in May 6, 1854.
W. W. Baldwin resigned July 22, 1854. Eli J. Hulsey sworn in August 14, 1854.

‡Allison Nelson resigned July 6, 1855. John Glen sworn in July 20, 1855. John Glen resigned as councilman, July 20, 1855. T. C. H. Wilson sworn in August 3, 1855. John Farrar resigned February 23, 1855. Robert M. Clarke sworn in March 10, 1855.

1856. §

Mayor—William Ezzard.**Councilmen.*

L. H. Davis,*	C. R. Hanleiter,
J. F. Albert,	L. J. Parr,
C. H. Strong,	Thomas Kile,*
Ezra Andrews,	A. B. Forsyth,*
T. L. Thomas,	Green B. Haygood,*
James L. Terry,*	John B. Peck.

1857.

Mayor—William Ezzard.**Councilmen.*

W. W. Sharp,*	John Glen,
W. C. Lawshe,*	W. T. Farnsworth,*
L. C. Simpson,*	John Farrar,*
H. C. Holcombe,*	James F. Alexander,
J. B. Peck,	I. O. McDaniel.*

1858.||

Mayor—Luther J. Glenn.**Councilmen.*

John Collier,	John H. Mecalins,
F. H. Coleman,	George S. Alexander,
William Rushton,*	Hayden Coe,*
Thomas F. Lowe,*	J. A. Hayden,*
James E. Williams,	William T. Wilson.*
J. M. Blackwell.	

1859.

Mayor—Luther J. Glenn.**Councilmen.*

Thomas Haney,	C. F. Wood,
Thomas G. Healey,	Alexander M. Wallace,
William Watkins,*	T. R. Ripley,*
James L. Dunning,*	B. M. Smith,
J. M. Blackwell,	C. H. Wallace.*

§T. L. Thomas resigned June 27, 1856. Green B. Haygood sworn in July 18, 1856. C. R. Hanleiter resigned November 21, 1856. John B. Peck sworn in December 5, 1856.

||George S. Alexander resigned June 4, 1858. William T. Wilson sworn in July 2, 1858.

1860.†

Mayor—William Ezzard.**Councilmen.*

H. H. Glenn,*	S. B. Sherwood,*
J. B. Norman,	John R. Wallace,
P. E. McDaniel,	Isaac Winship,*
James Clarke,	James F. Lewis,
J. R. D. Osborne,*	James R. Crew,*
M. T. Castleberry,*	N. L. Angier.*

1861.‡

*Jared I. Whitaker**—Thomas F. Lowe.**Councilmen.*

Felix Hardeman,*	S. B. Robson,*
F. C. House,	J. H. Mecalvin,
William Watkins,*	Thomas Kile,*
James R. Crew,*	James Lynch,
S. B. Love,	James G. Kelley,*
Robert Crawford,*	S. B. Oatman.

1862.§

Mayor—James M. Calhoun.**Councilmen.*

Isaac E. Bartlett,*	Wm. B. Cox,*
S. B. Oatman,	C. W. Hunnicutt,
James R. Crew,*	John H. Flynn,*
James E. Williams,	E. R. Sasseen,*
John Farrar,*	F. D. Thurmond,
James G. Kelley,*	James Noble, Jr.
Wm. Barnes,	

† James Clarke resigned July 6, 1860. James R. Crew sworn in July 27, 1860, James F. Lewis resigned September 6, 1860. N. L. Angier sworn in September 28, 1860.

‡ Jared I. Whitaker resigned November 25, 1861. Thomas F. Lowe sworn in December 13, 1861. S. B. Love resigned July 6, 1861. James G. Kelley sworn in August 3, 1861. F. C. House resigned October 25, 1861. S. B. Oatman sworn in December 13, 1861.

§ E. R. Sasseen sworn in June 20, 1862. W. B. Cox resigned May 30, 1862. F. D. Thurmond sworn in April 11, 1862. John Farrar resigned March 7, 1862. James Noble, Jr., sworn in September 12, 1862. William Barnes resigned August 22, 1862.

1863.||

Mayor—James M. Calhoun.**Councilmen.*

Isaac E. Bartlett,	S. B. Oatman,
James E. Williams,	E. E. Rawson,
James G. Kelley,*	F. D. Thurmond,
E. R. Sasseen,*	James Noble, Jr.,
C. W. Hunnicutt,	Perino Brown,
A. C. Wyly,	James E. Gullatt,*
L. C. Wells,	Z. A. Rice.*

1864.†

Mayor—James M. Calhoun.**Councilmen.*

L. C. Wells,	J. A. Taylor,*
E. E. Rawson,	William Watkins,*
Robert Crawford,*	John T. Jones,
Z. A. Rice,*	James E. Gullatt,*
Perino Brown,	N. R. Fowler.
Thomas S. Powell,	

1865.‡

Mayor—James M. Calhoun.**Councilmen.*

John Collier,	B. N. Williford,
Lewis S. Salmons,	F. M. Richardson,
T. R. Ripley,*	G. W. Terry,
L. S. Mead,	T. W. J. Hill,*
J. N. Simmons,	E. R. Sasseen.*
Z. A. Rice,*	

||C. W. Hunnicutt resigned April 17, 1863. A. C. Wyly sworn in May 8, 1863. James Noble, Jr., resigned May 29, 1863. James E. Gullatt sworn in June 19, 1863. Isaac E. Bartlett resigned June 26, 1863. L. C. Wells sworn in July 10, 1863. A. C. Wyly resigned August 21, 1863. Z. A. Rice sworn in September 11, 1863. E. R. Sasseen resigned as member from the fourth ward August 21, 1863. E. R. Sasseen sworn in as member from the fifth ward September 11, 1863.

†J. A. Taylor resigned March 4, 1864. Thomas S. Powell sworn in March 18, 1864.

‡T. W. J. Hill declined to be sworn in as Councilman. Z. A. Rice sworn in March 5, 1865.

1866. §

Mayor—James E. Williams.*Councilmen.*

A. P. Bell,	D. P. Ferguson,
P. E. McDaniel,	F. M. Richardson,
Robert Crawford,	James G. Kelley,*
W. T. Mead,	J. H. Porter,
Anthony Murphy,	B. D. Smith,*
Robert M. Farrar,	A. W. Mitchell.*

1867. ||

Mayor—James E. Williams.*Councilmen.*

M. T. Castleberry,*	D. P. Ferguson,
F. M. Richardson,	A. W. Mitchell,*
W. C. Anderson,*	G. W. Terry,
J. E. Gullatt,*	W. B. Cox,*
A. P. Bell,	Anthony Murphy,
Richard Peters,*	E. E. Rawson,
J. A. Hayden,*	E. W. Holland.*

1868.

No election was held, and the Mayor and Council of 1867 held over during this year by order of the military commander.

1869.

Mayor—William H. Hulsey.*Councilmen.*

J. P. Mayes,	W. H. Brotherton,
E. J. Roach,*	D. C. O'Keefe,*
V. P. Sisson,	W. C. Anderson,*
E. P. Howell,	M. Mahoney,
S. R. McCamy,*	E. R. Carr.*

§James H. Porter resigned May 18, 1866. Robert M. Farrar sworn in May 18, 1866. P. E. McDaniel resigned June 22, 1866. A. W. Mitchell sworn in June 22, 1866.

||D. P. Ferguson resigned February 15, 1867. Richard Peters sworn in February 22, 1867. F. M. Richardson resigned February 15, 1867. E. E. Rawson sworn in February 22, 1867. W. B. Cox resigned February 15, 1867—re-elected and sworn in February 22, 1867. Anthony Murphy resigned February 15, 1867. J. A. Hayden sworn in February 22, 1867. A. P. Bell resigned April 19, 1867. E. W. Holland appointed by General Pope April 26, 1867.

1870.

Mayor—William Ezzard.**Councilmen.*

M. T. Castleberry,*	D. C. O'Keefe,*
J. H. Callaway,*	Volney Dunning,
James G. Kelley,*	W. C. Anderson,*
E. P. Howell,	M. Mahoney,
A. Murphy,	A. L. Fowler,*

1871.

Mayor—D. F. Hammond.*Councilmen.*

C. W. Wells,	C. P. Cassin,
N. A. McLendon,	R. J. Lowry,
S. W. Grubb,	George Graham,
D. D. Snyder,	Wm. Finch,
F. P. Rice,	A. L. Fowler,*

1872.

Mayor—John H. James.*Councilmen.*

C. W. Wells,	M. T. Castleberry,*
C. C. Hammock,*	E. J. Roach,*
L. P. Grant,	T. A. Morris,
H. L. Wilson,	T. W. J. Hill,*
A. Leyden,	A. L. Fowler,*
J. P. Mayes,	W. L. Morris,
R. M. Farrar,	R. C. Mitchell.

1873.

Mayor—C. C. Hammock.**Councilmen.*

W. H. Brotherton,	John F. Morris,
G. T. Dodd,	N. A. McLendon,
D. A. Beatie,	R. C. Young,
John H. Mecaslin,	John W. Sparks,*
F. P. Rice,	J. H. Goldsmith,
John M. Boring,*	D. A. McDuffie,*
J. C. McMillan,*	J. N. Langston.

1874.

Mayor—S. B. Spencer.*Councilmen.*

A. Haas,	John B. Goodwin,
John Keely,*	W. D. Ellis,
R. C. Young,	James G. Kelly,*
John H. Flynn,*	J. C. Watkins,
J. H. Goldsmith,	M. T. Simmons,*
A. L. Fowler,*	D. A. McDuffie,*
J. C. McMillan,*	J. N. Langston.

1875.

Mayor—C. C. Hammock.**Mayor pro tem.*—Aaron Haas.*Aldermen.*

A. J. West,	R. F. Maddox,
	Aaron Haas.

Councilmen.

First Ward—	John B. Goodwin, John D. Turner.
Second “	J. W. Goldsmith, W. D. Ellis.
Third “	D. A. Beatie, T. A. Morris.
Fourth “	J. H. Flynn,* J. S. Garmany.
Fifth “	J. A. Richardson, { Frank P. Rice,† A. N. Hunt.

1876.

Mayor.—C. C. Hammock**Mayor pro tem.*—R. F. Maddox.*Aldermen.*

R. F. Maddox,	A. J. West,†
O. H. Jones,*	J. C. McMillan.*

Councilmen.

First Ward—	John B. Goodwin, Geo. H. Gramling.
Second “	J. W. Goldsmith, E. P. Chamberlin.
Third “	D. A. Beatie, Wm. Gray.*
Fourth “	J. H. Flynn,* S. Hape.
Fifth “	J. A. Richardson, S. T. Biggers.

†F. P. Rice resigned March 1st, 1875, and A. N. Hunt was elected to fill the vacancy, and was sworn in March 15th, 1875.

†A. J. West, who had been elected to serve during the years 1875, 1876 and 1877, resigned August 21st, 1876, and J. C. McMillan was elected September 2d, 1876, to fill the vacancy and was sworn in September 4th, 1876.

1877.

Mayor—N. L. Angier.**Mayor pro tem.*—J. C. McMillan.**Aldermen.*

J. C. McMillan,*

O. H. Jones,*

M. T. Castleberry.*

Councilmen.

First Ward—Geo. H. Gramling, M. E. Maher.

Second “ E. P. Chamberlin, G. J. Dallas.

Third “ Wm. Gray,* J. M. Buice.

Fourth “ C. K. Maddox, S. Hape.

Fifth “ S. T. Biggers, J. W. English.

1878.

Mayor—N. L. Angier.**Mayor pro tem.*—O. H. Jones**Aldermen,*

O. H. Jones,*

M. T. Castleberry

R. C. Mitchell.

Councilmen.

First Ward—M. E. Maher, J. M. Boring.*

Second “ G. J. Dallas, E. A. Werner.

Third “ J. M. Buice, W. E. Hanye.

Fourth “ J. H. Flynn,* C. K. Maddox.

Fifth “ B. B. Crew, Jas. W. English.

1879.

Mayor—W. L. Calhoun.*Mayor pro tem.*—M. T. Castleberry.**Aldermen.*

M. T. Castleberry,*

R. C. Mitchell,

John B. Goodwin.

Councilmen.

First Ward—J. M. Boring,* E. A. Baldwin.

Second “ E. A. Werner, W. D. Ellis.

Third “ W. E. Hanye, J. K. Thrower.

Fourth “ J. H. Flynn,* W. H. Patterson.

Fifth “ B. B. Crew, A. P. Stewart.

1880.

Mayor—W. L. Calhoun.*Mayor pro tem.*—R. C. Mitchell.*Aldermen.*R. C. Mitchell, John B. Goodwin,
Chas. Beerman.*Councilmen.*

First Ward—J. J. Barnes, E. A. Baldwin.

Second “ W. D. Ellis, John Berkele.

Third “ J. K. Thrower, T. J. Buchanan.

Fourth “ W. H. Patterson, T. J. Boyd.

Fifth “ A. P. Stewart, L. C. Jones.*

1881.

Mayor—Jas. W. English.*Mayor pro tem.*—John B. Goodwin.*Aldermen.*John B. Goodwin, Chas. Beerman,
R. J. Lowry.*Councilmen.*

First Ward—J. J. Barnes, A. J. Pinson.*

Second “ R. H. Knapp, John Berkele.

Third “ D. A. Beatie, T. J. Buchanan.

Fourth “ Jack W. Johnson, T. J. Boyd.

Fifth “ W. D. Payne, L. C. Jones.*

1882.

Mayor—James W. English.*Mayor pro tem.*—Charles Beerman.*Aldermen.*Chas. Beerman, R. J. Lowry,
Thos. G. Healy.*Councilmen.*†First Ward—W. D. Mitchell,* { W. H. Brotherton,
A. J. Pinson.*

Second “ Frank T. Ryan, R. H. Knapp.

Third “ Z. W. Adamson, D. A. Beatie.

Fourth “ W. H. Howell,* Jack W. Johnson.

Fifth “ W. C. Reynolds, W. D. Payne.

†W. D. Mitchell died April 20, 1882, and W. H. Brotherton was, on May 11th, 1882, elected to fill the vacancy, and was sworn in May 15th, 1882.

1883.

Mayor—Jno. B. Goodwin.*Mayor pro tem.*—R. J. Lowry.*Aldermen.*

R. J. Lowry, T. G. Healy,
J. H. Mecaslin.

Councilmen.

First Ward—W. H. Brotherton, J. A. Gray.
Second “ F. T. Ryan, Vol. Dunning.
Third “ Z. W. Adamson, S. W. Day.
Fourth “ W. H. Howell,* B. F. Longley.
Fifth “ W. C. Reynolds, E. Haiman.

1884.

Mayor—Jno. B. Goodwin.*Mayor pro tem.*—T. G. Healy.*Aldermen.*

T. G. Healy, J. H. Mecaslin,
H. C. Stockdell.

Councilmen.

First Ward—J. A. Gray, J. M. McAfee.
Second “ Vol. Dunning, Max Kutz.
Third “ S. W. Day, C. W. Mangum.
Fourth “ B. F. Longley, W. M. Mickleberry.
Fifth “ E. Haiman, E. Van Winkle.
Sixth “ M. Mahoney, J. T. Cooper.

1885.

Mayor—George Hillyer.*Mayor pro tem.*—J. H. Mecaslin.*Aldermen.*

J. H. Mecaslin, John R. Gramling,*
H. C. Stockdell, J. T. Cooper,
H. G. Hutchison.

Councilmen.

First Ward—	J. M. McAfee, W. M. Middlebrooks.
Second “	Max Kutz, W. J. Garrett.
Third “	C. W. Mangum, D. A. Beatie.
Fourth “	W. M. Mickelberry, E. F. May.*
Fifth “	E. Van Winkle, Z. A. Rice.*
Sixth “	M. Mahoney, J. C. Kirkpatrick.

1886.

Mayor—George Hillyer.*Mayor pro tem.*—H. G. Hutchison.*Aldermen.*

H. C. Stockdell,	J. T. Cooper,
Jno. R. Gramling,*	H. G. Hutchison,
Chas. A. Collier.	

Councilmen..

First Ward—	W. M. Middlebrooks, Wm. Kinyon.
Second “	W. J. Garrett, I. S. Mitchell.
Third “	D. A. Beatie, E. A. Angier.
Fourth “	E. F. May,* A. L. Green.
Fifth “	Z. A. Rice,* Jas. Bell.
Sixth “	J. C. Kirkpatrick, G. G. Roy.

1887.

Mayor—John Tyler Cooper.*Mayor pro tem.*—Chas. A. Collier.*Aldermen.*

Jno. R. Gramling,*	Chas. A. Collier,
J. H. Mecaslin,	W. A. Hemphill,
R. T. Dorsey.	

Councilmen.

First Ward—	Wm. Kinyon, G. H. Tanner.
Second “	I. S. Mitchell, H. A. Boynton.
Third “	E. A. Angier, E. T. Allen.
Fourth “	A. L. Greene, L. B. Nelson.
Fifth “	Jas. Bell, H. M. Beutell.
Sixth “	G. G. Roy, F. P. Rice.

1888.

Mayor—John Tyler Cooper.*Mayor pro tem.*—Chas. A. Collier.*Aldermen.*

Chas. A. Collier,	J. H. Mecalasin,
W. A. Hemphill,	Albert Howell,
Jacob Haas.	

Councilmen.

First Ward—G. H. Tanner Jas. M. Stephens.

Second “ H. A. Boynton, P. J. Moran.

Third “ E. T. Allen, J. G. Woodward.

Fourth “ L. B. Nelson, S. A. Morris.

Fifth “ H. M. Beutell, A. P. Thompson.

Sixth “ F. P. Rice, M. F. Amorous.

1889.

Mayor—John T. Glenn.*Mayor pro tem.*—W. A. Hemphill.*Aldermen.*

W. M. Middlebrooks,	J. H. Mecalasin,
Jacob Haas,	W. A. Hemphill,
Albert Howell,	H. G. Hutchison.

Councilmen.

First Ward—Jas. M. Stephens, Joseph Hirsch.

Second “ P. J. Moran, J. J. Meador.

Third “ J. G. Woodward, A. S. Robbins.

Fourth “ S. A. Morris; J. S. McLendon.

Fifth “ A. P. Thompson, A. L. Kontz.

Sixth “ M. F. Amorous, H. T. Inman.

1890.

Mayor—John T. Glenn.*Mayor pro tem.*—H. G. Hutchison.*Aldermen.*

Jacob Haas,	Albert Howell,
H. G. Hutchison,	W. M. Middlebrooks.
A. M. Reinhardt,	Jas. G. Woodward.

Councilmen.

First Ward—Joseph Hirsch, Jesse P. Kinyon.
Second “ J. J. Meador, A. J. McBride.
Third “ A. S. Robbins, Wm. H. Hulsey.
Fourth “ J. S. McLendon, J. C. Hendrix.
Fifth “ A. L. Kontz, Joseph Lambert.
Sixth “ H. T. Inman, Porter King.

1891.

Mayor—W. A. Hemphill.*Mayor pro tem.*—W. M. Middlebrooks.*Aldermen.*

H. G. Hutchison,	W. M. Middlebrooks,
A. M. Reinhardt,	Jas. G. Woodward,
F. P. Rice,	A. J. Shropshire.

Councilmen.

First Ward—Jesse P. Kinyon, Joshua Tye.
Second “ A. J. McBride, H. C. Sawtell.
Third “ Wm. H. Hulsey, Arnold Broyles.
Fourth “ J. C. Hendrix, C. E. Murphy.
Fifth “ Joseph Lambert, J. D. Turner.
Sixth “ Porter King, A. L. Holbrook.

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ERRATA.

Sec. 754, in eighth line, for "it," read "in."

Sec. 854, marginal note, for "505," read "305."

Sec. 1177, in first line, for "provinces," read "provisions."



Mary Wright
Susan Burns (blind)



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